

Agency comments for  
Conditional Use 17-043/Gross  
(Bi-Mart Country Music Festival)  
received by December 7, 2017  
(copy is posted on Planning website).

**Brandon Reich - Fwd: RE: Request for Comments- CU17-043**

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**From:** Stephanie Pulvers  
**To:** Brandon Reich  
**Date:** 11/22/2017 11:03 AM  
**Subject:** Fwd: RE: Request for Comments- CU17-043

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>>> "Scott Shepherd" <[scott.shepherd@jeffersonfire.org](mailto:scott.shepherd@jeffersonfire.org)> 11/22/2017 10:58 AM >>>

Stephanie the Jefferson Fire is in support Conditional Use Permit 17-043.

Scott Shepherd  
Assistant Chief  
Jefferson Fire District  
[\(541\) 327-2822](tel:(541)327-2822)  
Cell [\(541\) 223-2839](tel:(541)223-2839)  
Fax [\(541\) 327-2279](tel:(541)327-2279)  
[scott.shepherd@jeffersonfire.org](mailto:scott.shepherd@jeffersonfire.org)

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**From:** Stephanie Pulvers [[spulvers@co.marion.or.us](mailto:spulvers@co.marion.or.us)]  
**Sent:** Wednesday, November 22, 2017 9:01 AM  
**To:** Austin Dhillon <[ADhillon@co.marion.or.us](mailto:ADhillon@co.marion.or.us)>; Assessor@co.marion.or.us; Barbara Dickson <[BDickson@co.marion.or.us](mailto:BDickson@co.marion.or.us)>; Claudia Hill <[CHill@co.marion.or.us](mailto:CHill@co.marion.or.us)>; Cindy Schmitt <[CSchmitt@co.marion.or.us](mailto:CSchmitt@co.marion.or.us)>; Cyndee Tate <[CTate@co.marion.or.us](mailto:CTate@co.marion.or.us)>; David Eubanks <[DEubanks@co.marion.or.us](mailto:DEubanks@co.marion.or.us)>; John Rasmussen <[JRasmussen@co.marion.or.us](mailto:JRasmussen@co.marion.or.us)>; Julia Uravich <[JUravich@co.marion.or.us](mailto:JUravich@co.marion.or.us)>; Matthew Ficek <[MFicek@co.marion.or.us](mailto:MFicek@co.marion.or.us)>; Matthew Puntney <[MPuntney@co.marion.or.us](mailto:MPuntney@co.marion.or.us)>; Natasha Ryder <[NRyder@co.marion.or.us](mailto:NRyder@co.marion.or.us)>; Phil Jones <[PRJONES@co.marion.or.us](mailto:PRJONES@co.marion.or.us)>; Rex Weisner <[Rweisner@co.marion.or.us](mailto:Rweisner@co.marion.or.us)>; [chair@essnasalem.org](mailto:chair@essnasalem.org); [publicworks@essnasalem.org](mailto:publicworks@essnasalem.org); [meriel@friends.org](mailto:meriel@friends.org); [arkaye2@gmail.com](mailto:arkaye2@gmail.com); [laulehines@gmail.com](mailto:laulehines@gmail.com); Roger Kaye <[rkaye2@gmail.com](mailto:rkaye2@gmail.com)>; [jeffersonfire@jeffersonfire.org](mailto:jeffersonfire@jeffersonfire.org); [odotr2planmgr@odot.state.or.us](mailto:odotr2planmgr@odot.state.or.us); [fridenmaker\\_david@salkeiz.k12.or.us](mailto:fridenmaker_david@salkeiz.k12.or.us)  
**Subject:** Request for Comments- CU17-043

See attached. Please send comments to Brandon Reich at [breich@co.marion.or.us](mailto:breich@co.marion.or.us)

Thank you,

Stephanie Pulvers  
Department Specialist  
Marion County Public Works

(503) 361-3178 | [spulvers@co.marion.or.us](mailto:spulvers@co.marion.or.us)

\*\*\*\*\*

This message has been scanned for virus content by Symantec Anti-Virus, and is believed to be clean.

Viruses are often contained in attachments - Email with specific attachment types are automatically deleted.

If you need to receive one of these attachments contact Marion County IT for assistance.

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# Jefferson Fire District

PO Box 911 · 189 N. Main St.  
Jefferson, OR 97352  
(541) 327-2822 · Fax (541) 327-2279  
[jeffersonfire@jeffersonfire.org](mailto:jeffersonfire@jeffersonfire.org)  
Marion County · Linn County



November 22, 2017

Marion County Planning Department  
Brandon Reich  
5155 Silverton Rd NE  
Salem, OR 97305

Mr Reich,

I have attended a couple meetings with members from the Willamette Country Music Concerts, LLC and read through their permit application. I'm impressed with the detail of their plan and the amount of effort that goes into producing the festival. In conversations with President Anne Hankins, and others of her team, I am convinced they are sincere and heartfelt in their statements about wanting to be part of the community and helping all of us to be successful.

As for providing emergency services to the festival we have been in contact with Lebanon Fire District who was the lead fire agency for the 2017 event, and they are willing to share their plan with us. The plan includes using several agencies so the burden is not on one agency. Any services provided to the festival will be in addition to our normal operation and will not diminish what we already provide to the community. The fire agencies and festival had a cost recovery agreement in place so there wasn't a financial liability to the fire agencies.

This event can be beneficial to the community of Jefferson and the surrounding area. It can bring opportunities to our schools and service groups, it can bring us pride and accomplishments. That is why I support the Willamette Country Music Festival in their desire to acquire the necessary permits to locate the festival in the Jefferson area.

Thank you for your time.

Kevin Hendricks, Interim Fire Chief  
Jefferson Fire District

Cc: Dave Jones, Board President

**Brandon Reich - Cu17-043 - no code enf issues - bld**

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**From:** Barbara Dickson  
**To:** Brandon Reich  
**Date:** 11/22/2017 9:50 AM  
**Subject:** Cu17-043 - no code enf issues - bld

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Barbara Dickson  
Code Enforcement Aide  
Alarms Coordinator  
Marion County Sheriff's Office  
[bdickson@co.marion.or.us](mailto:bdickson@co.marion.or.us)  
[503-584-4768](tel:503-584-4768)

**Brandon Reich - Re: Request for Comments- CU17-043**

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**From:** David Eubanks  
**To:** Brandon Reich  
**Date:** 11/22/2017 9:17 AM  
**Subject:** Re: Request for Comments- CU17-043  
**Attachments:** David Eubanks.vcf

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I have reviewed the request and based on the information given to me a Building permit is required for temporary structures such as stage etc and uses.

David Eubanks  
Building Plans Examiner  
Marion County Public Works  
5155 Silverton Rd. NE, Salem, OR 97305  
[\(503\) 566-3982](tel:5035663982)  
[DEubanks@co.marion.or.us](mailto:DEubanks@co.marion.or.us)

>>> Stephanie Pulvers 11/22/2017 9:01 AM >>>

See attached. Please send comments to Brandon Reich at [breich@co.marion.or.us](mailto:breich@co.marion.or.us)

Thank you,

Stephanie Pulvers  
Department Specialist  
Marion County Public Works  
[\(503\) 361-3178](tel:5033613178) | [spulvers@co.marion.or.us](mailto:spulvers@co.marion.or.us)

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MARION COUNTY PLANNING DIVISION

REQUEST FOR COMMENTS

DATE: November 22, 2017

CASE #: CU17-043

REQUEST: Application of Willamette Country Music Concerts, LLC on land owned by Jimmy and Kristine Gross for a conditional use for a temporary use of 692 acres in an EFU (Exclusive Farm Use) zone in conjunction with a mass gathering August 16-19, 2018 located at 13054 Jorgenson Road S and in the 3700 block of Wintel Road S, Jefferson (T9S; R3W; Section 19; tax lot 400; Section 21; tax lot 700; Section 28; tax lots 100, 300, 400, 500, 600 and 700; Section 28D; tax lot 800, 1000 and 1100).

APPLICANT(S): Jimmy & Kristine Gross  
13384 Jorgenson Rd S  
Jefferson, OR 97352

Tim Flowerday/WCMC, LLC  
PO Box 23638  
Eugene, OR 97402

The Planning Division is soliciting comments you may wish to have considered in the County's review of the above described land use case. A map of the subject property is attached.

Comments must be submitted in writing and received in our office by 5:00 on December 07, 2017. If we do not receive a response by the end of the comment period, we will assume you have no concerns.

Send comments or questions to:  
Brandon Reich  
E-Mail: breich@co.marion.or.us  
Phone: (503) 588-5038; Fax: (503) 588-3562  
Marion County Planning Division  
5155 Silverton Rd. NE, Salem OR 97305

PLEASE CHECK THE APPROPRIATE ITEMS:

- We have reviewed the proposal and determined that we have no comment.
- We would like to receive a copy of the staff decision and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our comments are:

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Name: Austin Dullon

Agency: Tax Office

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

Date: 11-22-17

MARION COUNTY PLANNING DIVISION  
REQUEST FOR COMMENTS

DATE: November 22, 2017

CASE #: CUI7-043

REQUEST: Application of Willamette Country Music Concerts, LLC on land owned by Jimmy and Kristine Gross for a conditional use for a temporary use of 692 acres in an EFU (Exclusive Farm Use) zone in conjunction with a mass gathering August 16-19, 2018 located at 13054 Jorgenson Road S and in the 3700 block of Wintel Road S, Jefferson (T9S; R3W; Section 19; tax lot 400; Section 21; tax lot 700; Section 28; tax lots 100, 300, 400, 500, 600 and 700; Section 28D; tax lot 800, 1000 and 1100).

APPLICANT(S): Jimmy & Kristine Gross                      Tim Flowerday/WCMC, LLC  
13384 Jorgenson Rd S                                      PO Box 23638  
Jefferson, OR 97352                                      Eugene, OR 97402

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If we do not receive a response by the end of the comment period, we will assume you have no concerns.

**Send comments or questions to:**  
Brandon Reich  
E-Mail: breich@co.marion.or.us  
Phone: (503) 588-5038; Fax: (503) 588-3562  
Marion County Planning Division  
5155 Silverton Rd. NE, Salem OR 97305

**PLEASE CHECK THE APPROPRIATE ITEMS:**

- We have reviewed the proposal and determined that we have no comment.
- We would like to receive a copy of the staff decision and notice of any public hearings in this case.
- Our comments are in the attached letter.
- Our comments are:

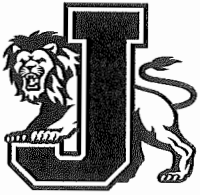
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Name:     Matt Punthey      
Agency:     MC Onsite Wastewater      
Phone:     503 365 3165      
Email:     mpunthey@co.marion.or.us      
Address:     5155 Silverton Rd Salem      
Date:     7/27/17



There will be septic permits required. Contact Marion County Building Inspection at 5155 Silverton Rd NE Salem or call 503-588-5147.



CATHY EMMERT  
Principal

MICHAEL KNUDSON  
Assistant Principal

JEFFERSON HIGH SCHOOL  
JEFFERSON SCHOOL DISTRICT 14J  
2200 Talbot Road, Jefferson, Oregon 97352  
Telephone/TDD (541) 327-3337  
FAX (541) 327-1867

JAN SHEETS  
Administrative  
Assistant

November 27, 2017

Dear Mr. Reich,

I am writing to you today in support of the Bi-Mart Music Festival being held just outside of Jefferson, Oregon. I have served as the high school principal at Jefferson High School for the past 14 years. During this time I have seen my staff cut, my supply budgets dry up, and deferred maintenance continuing to be deferred! There have been little opportunities for my staff and students to bring financial opportunities to JHS because we have very little industry. Imagine our great enthusiasm when we heard of the financial opportunity for our school, school district, and our little community by hosting the music event! I would ask that you consider the greater good when making your final decision!

Sincerely,  
Cathy Emmert

REC'D DEC 04 2017

Jefferson  
School  
District  
14J

## Jefferson Middle School

Dan Fritz, Principal  
1344 North 2nd Street, Jefferson, OR 97352  
Phone: 541-327-3337, option 5  
Fax: 541-327-7762

November 28, 2017

ATTN: Brandon Reich  
Planning Division  
Marion County Public Works  
5155 Silverton Road, NE  
Salem OR 97305

RE: Bi-Mart Willamette Country Music Festival relocation to Jefferson Oregon.

Dear Mr. Reich

I am writing you to endorse the relocation of the Bi-Mart Willamette Country Music Festival to the proposed location west of Jefferson Oregon. As the Athletic Director at Jefferson High School and Principal of Jefferson Middle School, I see a great benefit this event will bring to our school and community.

Through communication with the schools and organizations previously associated with the festival I have come to see that it could provide a unique revenue source to support our schools and extra-curricular programs. I have also had the pleasure to work with senior management of Bi-Mart and note their eager and willing support of schools, athletics and communities throughout Oregon and the Northwest.

When at a recent Town Hall meeting presenting the festival's proposal, I heard the concerns of a few local farmers. I also heard the large number of Jefferson residents, community groups, and organizations express eagerness to work with and in support of this event. What was also clear at that meeting was the willingness of the Country Music Festival staff and ownership to listen to and work with those who had concerns. It was further evident at that Town Hall session, that the festival team has already done extensive planning and organizational work to alleviate those concerns, specifically, the traffic and road congestion issue. Further, it was clear, that the organizers have anticipated and planned for many contingencies and problems, such as medical and emergency response,

My hope is that Marion County will act quickly to review, without delay, the request of the Willamette Country Music Concerts LLC for a mass gathering permit and/or conditional use permit. Conversely, it is my fear that a delay in approval of this request will result in Marion County, and the Jefferson Community forfeiting this unique opportunity and the festival going elsewhere.

I thank you for your consideration in this matter and look forward to hearing that Jefferson Community and Marion County will be the new home of the Bi-Mart Willamette Country Music Festival.

Sincerely



Daniel M. Fritz  
District Athletic Director  
Middle School Principal  
dan.fritz@jefferson.k12.or.us

GO LIONS



MARION COUNTY PLANNING DIVISION

REQUEST FOR COMMENTS

RECEIVED NOV 27 2017

DATE: November 22, 2017

CASE #: CU17-043

REQUEST: Application of Willamette Country Music Concerts, LLC on land owned by Jimmy and Kristine Gross for a conditional use for a temporary use of 692 acres in an EFU (Exclusive Farm Use) zone in conjunction with a mass gathering August 16-19, 2018 located at 13054 Jorgenson Road S and in the 3700 block of Wintel Road S, Jefferson (T9S; R3W; Section 19; tax lot 400; Section 21; tax lot 700; Section 28; tax lots 100, 300, 400, 500, 600 and 700; Section 28D; tax lot 800, 1000 and 1100).

APPLICANT(S): Jimmy & Kristine Gross Tim Flowerday/WCMC, LLC
13384 Jorgenson Rd S PO Box 23638
Jefferson, OR 97352 Eugene, OR 97402

The Planning Division is soliciting comments you may wish to have considered in the County's review of the above described land use case. A map of the subject property is attached.

Comments must be submitted in writing and received in our office by 5:00 on December 07, 2017. If we do not receive a response by the end of the comment period, we will assume you have no concerns.

Send comments or questions to:
Brandon Reich
E-Mail: breich@co.marion.or.us
Phone: (503) 588-5038; Fax: (503) 588-3562
Marion County Planning Division
5155 Silverton Rd. NE, Salem OR 97305

PLEASE CHECK THE APPROPRIATE ITEMS:

- We have reviewed the proposal and determined that we have no comment.
[X] We would like to receive a copy of the staff decision and notice of any public hearings in this case.
[X] Our comments are in the attached letter.
Our comments are:

Horizontal lines for signature and contact information.

Name: Kent Klewitz
Agency: Jefferson School District 145
Phone: 541-327-3337 x 1051
Email: kent.klewitz@jefferson.k12.or.us
Address: 1328 N. 2nd St. Jefferson, OR 97352
Date: November 29, 2017

**Jefferson  
School  
District  
14J**

1328 N 2nd Street  
Jefferson, OR 97352

Kent Klewitz, Superintendent  
Phone: 541-327-3337, ext. 1051  
Fax: 541-327-2960  
E-mail: kent.klewitz@jefferson.k12.or.us

November 27, 2017

Brandon Reich  
Marion County Planning Division  
5155 Silverton Road, NE  
Salem, OR 97305

RE: Case #CU17-043

Dear Mr. Reich,

This letter is written in support of the application by the Willamette Country Music Concerts (WCMC), LLC for conditional use of land owned by Jimmy and Kristine Gross for a concert August 16-19, 2018. The location, at 13054 Jorgenson Road S and in the 3700 Block of Wintel Road S, is within Jefferson School District. This location and its close proximity to the community of Jefferson create a great opportunity for the students of the District.

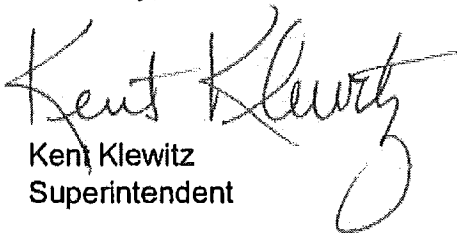
As part of a rural farming community without corporations with which to form partnerships, Jefferson School District welcomes the chance to work with WCMC. It is not often that a community the size of ours gets to host such a major event, and we are honored to be of support. We believe that our students stand to benefit a great deal.

Fundraising for extra-curricular school activities and organizations is never-ending, but sources of support are very limited in a small, rural school district like Jefferson. We believe our involvement in supporting the Willamette Country Music Festival will bring some relief from year-round fundraising and relieve some of the financial burden fundraising requests place on our community.

WCMC representatives have begun conversations within the community to hear concerns. We appreciate their community-minded approach, and believe they will work hard to address the few concerns that have been expressed.

On behalf of Jefferson School District, I urge you to honor the request by WCMC, LLC. Among others in the community, Jefferson School District stands ready to do its part to help make this partnership a success.

Sincerely,

  
Kent Klewitz  
Superintendent





150 N. 2<sup>nd</sup> St./PO Box 83  
Jefferson, OR 97352  
Ph: 541.327.2768  
Fax: 541.327.3120

December 1, 2017

Marion County Planning Division  
Attn: Brandon Reich  
breich@co.marion.or.us

Re: Case# CU14-043 – Willamette Country Music Concerts, LLC

Mr. Reich,

On behalf of the City of Jefferson, please accept this written comment in support of the above referenced application. We believe having such an event in the vicinity brings with it a multitude of positive attributes; including a boost in the local economy, the chance to show off our City, an opportunity for volunteerism for our local youth, and so much more.

We are very pleased the Willamette Country Music Concerts, LLC is considering such an event in our area and are looking forward to the occasion. Where we are able, the City would be delighted to offer support and partnership with the powers that be, to help work toward a very successful and positive experience for the community.

Thank you for the opportunity to comment.

Name:	Title:	
<i>Muelo Myr</i>	<i>MAYOR</i>	<i>[Signature]</i> <i>CONCILOR</i>
<i>Davidt Beyel</i>	<i>Councilor/</i>	<i>[Signature]</i> <i>COUNCILOR</i>
<i>Andrew Westler</i>	<i>councilor</i>	<i>Deanna Jones</i> <i>CITY CLERK</i>
<i>Robert D. Roswin</i>	<i>councilor</i>	<i>Kisser Davis</i> <i>CITY PLANNER</i>
<i>Jeff Buchink</i>	<i>P.W.D</i>	<i>Arale Cook, City Recorder</i>
<i>Vernon [Signature]</i>	<i>P.W.P.</i>	

\*Equal Opportunity Employer & Provider\*



# United States Department of the Interior



U.S. FISH & WILDLIFE SERVICE  
Willamette Valley National Wildlife Refuge Complex  
26208 Finley Refuge Road  
Corvallis, Oregon 97333-9533  
Phone (541) 757-7236  
Fax (541) 757-4450

December 5, 2017

Dear Mr. Brandon Reich,

We received your request for comment on Case #CU17-043, a conditional use application to Marion County from Willamette Country Music Concerts, LLC for the proposed Annual Bi-Mart Willamette Country Music Festival.

Prior to receiving your request, we were aware of the potential for the music festival to change its venue to the private property adjacent to Ankeny National Wildlife Refuge. Tim Flowerday with Willamette Country Music Concerts, LLC (WCMC LLC) reached out to Refuge personnel in September and we met at Ankeny National Wildlife Refuge on November 1, 2017. The WCMC LLC was proactive in reaching out to us and seemed receptive to the concerns we shared with them. In our response to the county application we will share the same concerns we shared with WCMC LLC.

Ankeny National Wildlife Refuge is one of over 565 National Wildlife Refuges across the nation; a network of lands dedicated to conserving a vast array of fish, wildlife and plants valuable for communities and people to live from and enjoy. Ankeny Refuge is well known for the rare Willamette Valley habitats we restore and maintain; the hundreds of resident and migratory bird species that depend on these lands, and for the many recreation options. It is from this basis that we put forward our response - in brief and in summary - on the proposed event. Our response centers on potential impacts, opportunities and safety concerns:

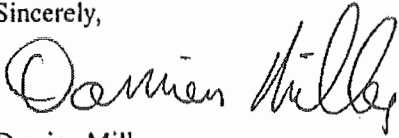
- In thinking about the potential impacts from the festival, we discussed the following: increased traffic and trash, disturbance to wildlife, increased risk of wildfires, volume of people, dust abatement measures, light and noise pollution, time/management costs on Refuge staff, displacement of Refuge visitors, trespass and/or misuse of the Refuge (e.g., entering the Refuge during closure hours, litter, driving in fields).
- Our safety concerns result from the short-term, high volume of people (40,000 – 60,000 daily) that would travel to and from the area, traveling around the Refuge, and the likelihood of high fire danger during the third week of August.
- In discussing the potential opportunities, we listed the following: increase in outreach and visibility, economic benefit to the area, and support for Refuges and the associated non-profit groups.

The applicant sought to address some of the concerns mentioned above in their application, as they did in our meeting with them.

Along with others in the community, we are in the initial phases of discussing the possibility of the Bi-Mart Willamette Country Music Festival occurring adjacent to Ankeny National Wildlife Refuge. We will continue to evaluate and be engaged in this process as planning continues.

Thanks for the opportunity to comment. Feel free to contact us if you have any follow-up questions.

Sincerely,

A handwritten signature in black ink that reads "Damien Miller". The signature is written in a cursive style with a large, prominent "D" at the beginning.

Damien Miller  
Project Leader  
Willamette Valley National Wildlife Refuge Complex



**Brandon Reich - ODOT comments for CU17-043, Tim Flowerday/WCMC, LLC - DRS 8062**

---

**From:** JUSTER Gerard P \*Gerry <Gerard.P.JUSTER@odot.state.or.us>  
**To:** "Brandon Reich (breich@co.marion.or.us)" <breich@co.marion.or.us>  
**Date:** 12/7/2017 1:13 PM  
**Subject:** ODOT comments for CU17-043, Tim Flowerday/WCMC, LLC - DRS 8062  
**Cc:** BLAIR Keith P <Keith.P.BLAIR@odot.state.or.us>, UPTON Dorothy J <Dorothy...>  
**Attachments:** FW: Request for Comments- CU17-043

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Dear Brandon,

Thank you for notifying the Oregon Department of Transportation (ODOT) of the Condition Use application. This message is submitted for inclusion in the public hearing record and ODOT should be considered a party to the land use action. Please provide a copy of the land use decision, notice of any time extensions or continuances, to ODOT at the address provided below, or you may provide notice to ODOT via e-mail. Electronic format is preferred.

Planning and Development Manager  
 Oregon Department of Transportation  
 Region 2 Headquarters  
 455 Airport Road SE, Building B  
 Salem, OR 97301-5395

Electronic documents can be directed to:

[ODOTR2PLANMGR@ODOT.STATE.OR.US](mailto:ODOTR2PLANMGR@ODOT.STATE.OR.US)

ODOT staff has completed a review of the submitted application and has the following comments.

The proposed site of the Willamette Valley Country Music Festival is adjacent to the Pacific Highway, No. 1, Interstate 5 (I-5). No direct access to I-5 is being proposed to the festival site however, two I-5 interchanges are projected to be utilized in directing traffic to and from festival parking, camping and event facilities. It should be anticipated the two interchanges and the surrounding County road system will experience an increase of traffic destined to the festival location. The Applicant Statement indicates the projected attendance of the festival would be between 40 to 60 thousand people. This is a significant influx of traffic to the I-5 corridor and the County road system in the proximity of the proposed festival location. It should be noted the festival is planned for August, which is traditionally one of the highest travel times of the year along the I-5 corridor. In a separate email message ODOT received, the applicant mentioned they were seeking approval for the Conditional Use Permit application to accommodate 30 thousand people. It would be helpful to know if the approval of this Conditional Use Permit Application will set a cap on the festival attendance.

ODOT believes traffic impacts need to be documented as part of processing this Conditional Use Permit application. Traffic impacts have not been quantified in the applicant's Conditional Use Permit application. For this reason, ODOT is recommending a condition of approval be included with this land use decision that the applicant prepare and submit a Traffic Impact Analysis (TIA). ODOT would want to participate in the scoping of the TIA with Marion County. The purpose of this information is to determine where the greatest need will be in monitoring and controlling event traffics. ODOT District 4 Maintenance staff will need to work closely with the applicant and Marion County with traffic control.

The applicant did submit a traffic control plan with the Conditional Use Permit application. ODOT appreciates the applicant taking steps to address this item. It is common for ODOT staff to review a traffic control plan when a state highway will be impacted by an event similar to the Willamette Valley Country Music Festival. Because this is a new location for the festival, ODOT cannot adequately know the scope of traffic impacts to validate the proposed traffic control plan at the time of submitting these comments.

The roadway network identified in the applicants traffic control plan has four at-grade railroad crossings. Attached to this message are comments being provided by ODOT Rail Division addressing public rail crossing safety issues. Recommendations have been made to Marion County by ODOT Rail Division. Questions or comments can be directed to David Smith, Crossing Compliance Specialist, at [503.986.4095](tel:503.986.4095).

Based on the above information ODOT is recommending the following.

- Please verify the maximum attendance figure Marion County would approve with this Conditional Use Permit application.
- Include a condition of approval for this land use decision that the applicant prepare and submit a Traffic Impact Analysis (TIA). ODOT would want to participate in the scoping of the TIA with Marion County.
- The applicant should submit **An Application and Permit to Occupy or Perform Operations Upon A State Highway**. Approval of the permit would be inclusive of a traffic control plan addressing traffic flow at the I-5 interchanges of Ankeny Hill and Talbot Road, as well as, traffic control on the County road system. The traffic control plan should be based on the findings of the aforementioned Traffic Impact Analysis (TIA).
- Address ODOT Rail Division comments attached to this message.

The applicant should submit the permit application to Carla Wahl, ODOT District 4 Senior Permit Specialist. Carla can be contacted at [541.757.4182](tel:541.757.4182). An electronic version of the form is attached. There is no application fee associated for submittal of the application. The applicant or their contractor shall obtain the permit 30 calendar days prior to commencing any activities within state highway right-of-way.

If you have any questions please feel free to contact me at [503.986.2732](tel:503.986.2732).

Thank you,

**Gerry Juster**

Development Review Coordinator  
Oregon Department of Transportation  
855 Airport Rd SE, Bldg. Y | Salem, Oregon 97301  
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**Brandon Reich - FW: Request for Comments- CU17-043**

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**From:** SMITH David R <David.R.SMITH@odot.state.or.us>  
**To:** JUSTER Gerard P \*Gerry <Gerard.P.JUSTER@odot.state.or.us>  
**Date:** 12/6/2017 10:30 AM  
**Subject:** FW: Request for Comments- CU17-043  
**Attachments:** APPLICATION.pdf; ZONE MAP.pdf; SITE PLAN.pdf; RFC.pdf

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Gerry – this morning we were able to drive the route proposed on the traffic plan overview you sent over.

A couple of comments.

There are indeed 4 public at-grade crossings being utilized for the event under the current traffic plan.

Buena Vista Rd S (USDOT 067081P / Oregon Crossing No. 3E-85.7)  
Wintel Rd S (067083D / 3E-86.8)  
Marlett Rd (067084K / 3E-87.5)  
Talbot Rd S (067085S / 3E-87.9)

When we spoke, I made reference to the fact that there should be some sort of outreach to the railroad.

To follow-up on that point, these 4 crossings are all passive (absent of lights, gates, or bells). After further thought and internal discussion, it is also strongly encouraged that the railroad provide 24-hour railroad flagging in advance of, during, and after the event. This would almost certainly be at the expense of the event organizer. I volunteer myself to be an intermediary, as needed, to have that discussion happen (between the event organizer or designee and the railroad, Portland & Western (PNWR)).

As we discussed, go ahead and lump my feedback with ODOT's.

Thank you for the opportunity to comment.

David R Smith



ODOT Rail & Public Transit  
Crossing Safety Unit  
Mill Creek Building  
555 13<sup>th</sup> St NE, Suite #3  
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Ph. (503) 986-4095  
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Email: David.R.SMITH@odot.state.or.us

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**From:** SHANKLE Richard A  
**Sent:** Wednesday, November 29, 2017 7:52 PM  
**To:** SMITH David R  
**Subject:** FW: Request for Comments- CU17-043

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**From:** JUSTER Gerard P \*Gerry  
**Sent:** Wednesday, November 29, 2017 4:29:13 PM  
**To:** SHANKLE Richard A  
**Subject:** FW: Request for Comments- CU17-043

Hello Rich,

We were sent this request for comments on a Marion County Conditional Use permit application on Monday. We have until December 7<sup>th</sup> to provide comments into the record. Right now we lack enough information about the project to know exactly how to respond. The CU permit is for relocating the Willamette Valley Country Music Festival from its current location near Brownsville to a new site west of the Talbot Road Interchange on I-5. See the attached information.

The applicant's representative, Del Huntington with Project Delivery Group, has been tasked with organizing the preparation of a Traffic Impact Analysis (TIA). We met with Del this afternoon here in Region 2. Unfortunately, we did not scope the TIA because of conflicting or lack of, information.

Why I am sending this to you, is this. There are four (4) public at-grade crossings that fall within the project limits of the project on the public roadway system. I wanted ODOT Rail to be aware of this project so you could provide input and guidance as necessary. I have also placed some additional information on my PC's share folder that can be accessed by using the embedded link below.

[Willamette Valley Country Music Festival](#)

Have one of your staff call me and I will provide as much information as I can. I do not know the exact locations of the rail crossings.

Best regards,

**Gerry Juster**  
Development Review Coordinator  
Oregon Department of Transportation  
855 Airport Rd SE, Bldg. Y | Salem, Oregon 97301

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**From:** COLE Terry D  
**Sent:** Monday, November 27, 2017 7:52 AM  
**To:** FRICKE Daniel L; JUSTER Gerard P \*Gerry; KNECHT Casey  
**Cc:** CHICKERING Sonny P  
**Subject:** FW: Request for Comments- CU17-043

Hey gang,

Sonny sent this along. I had not yet seen it. If you have seen it and have commented to Brandon, yay! If not, please coordinate with District and the County. I know this is not the first one of these events, but it sounds like they may be ramping up. Anyway, This is probably mostly a maintenance/operations issue and I suspect they are on it, but please check with Cole and company and make sure we are represented. Thanks!

Terry

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**From:** CHICKERING Sonny P  
**Sent:** Wednesday, November 22, 2017 4:18 PM  
**To:** COLE Terry D  
**Subject:** FW: Request for Comments- CU17-043

In case you haven't seen this already.

Sonny P.A. Chickering, PE  
Oregon Dept. of Transportation  
Northwest (Region 2) Manager  
[541-517-1955](tel:541-517-1955)

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**From:** Stephanie Pulvers [<mailto:spulvers@co.marion.or.us>]  
**Sent:** Wednesday, November 22, 2017 2:40 PM  
**To:** [damien\\_miller@fws.gov](mailto:damien_miller@fws.gov); [graham\\_evans-peters@fws.gov](mailto:graham_evans-peters@fws.gov); CHICKERING Sonny P;  
[jeffersonplanner@peak.org](mailto:jeffersonplanner@peak.org); [jeffersonrecorder@peak.org](mailto:jeffersonrecorder@peak.org); CAMARATA Mary; INFO Odfw; WILDLIFEINFO ODFW; [Mike.I.mccord@wrд.state.or.us](mailto:Mike.I.mccord@wrд.state.or.us)  
**Subject:** Request for Comments- CU17-043

See attached. Please send comments to Brandon Reich at [breich@co.marion.or.us](mailto:breich@co.marion.or.us)

Thank you,

Stephanie Pulvers

Department Specialist

Marion County Public Works

[\(503\) 361-3178](tel:5033613178) | [spulvers@co.marion.or.us](mailto:spulvers@co.marion.or.us)