

Lane Council of Governments

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January 6, 2005

To: Metropolitan Policy Committee
From: Paul Thompson
Subject: Item 5.f: Notice of Intent to File LUBA Appeal Regarding RTP Adoption

Action Recommended: None. Information only.

Background:

On December 9, 2004 MPC adopted Resolutions 2004-06 and 2004-07 adopting the 2025 Central Lane MPO Regional Transportation Plan (RTP) and adopting the air quality conformity determination for the 2004-2025 RTP and the FY04-06 Metropolitan Transportation Improvement Program (MTIP).

Issue Summary:

On January 3, 2005 LCOG received certified mail from *Facaros and Dugan* containing a copy of a *Notice of Intent to Appeal (Notice)* filed before the Land Use Board of Appeals (LUBA) of the State of Oregon. This *Notice* is included as Attachment 1.

The *Notice* lists Friends of Eugene and Rob Handy as Petitioners and LCOG and MPC as Respondents and states that:

Notice is hereby given that petitioners intend to appeal respondents' land use decision, which became final December 9, 2004, which encompassed the following resolutions:

- Metropolitan Policy Committee Resolution 2004-06, Adopting an Update to the Central Lane Regional Transportation Plan
- Metropolitan Policy Committee Resolution 2004-07, Adopting the Air Quality Conformity Determination for the Regional Transportation Plan and the FY2004-2006 Transportation Improvement Program
- Metropolitan Policy Committee Resolution 2004-07, Adopting the Air Quality Conformity Determination for the Regional Transportation Plan and the FY2005-2007 Transportation Improvement Program

Note that the *Notice* incorrectly refers to two versions of MPC Resolution 2004-07, while only the version conforming the FY2004-2006 MTIP was adopted on December 9.

Attachments:

Attachment 1: Notice of Intent to Appeal