Planning Department
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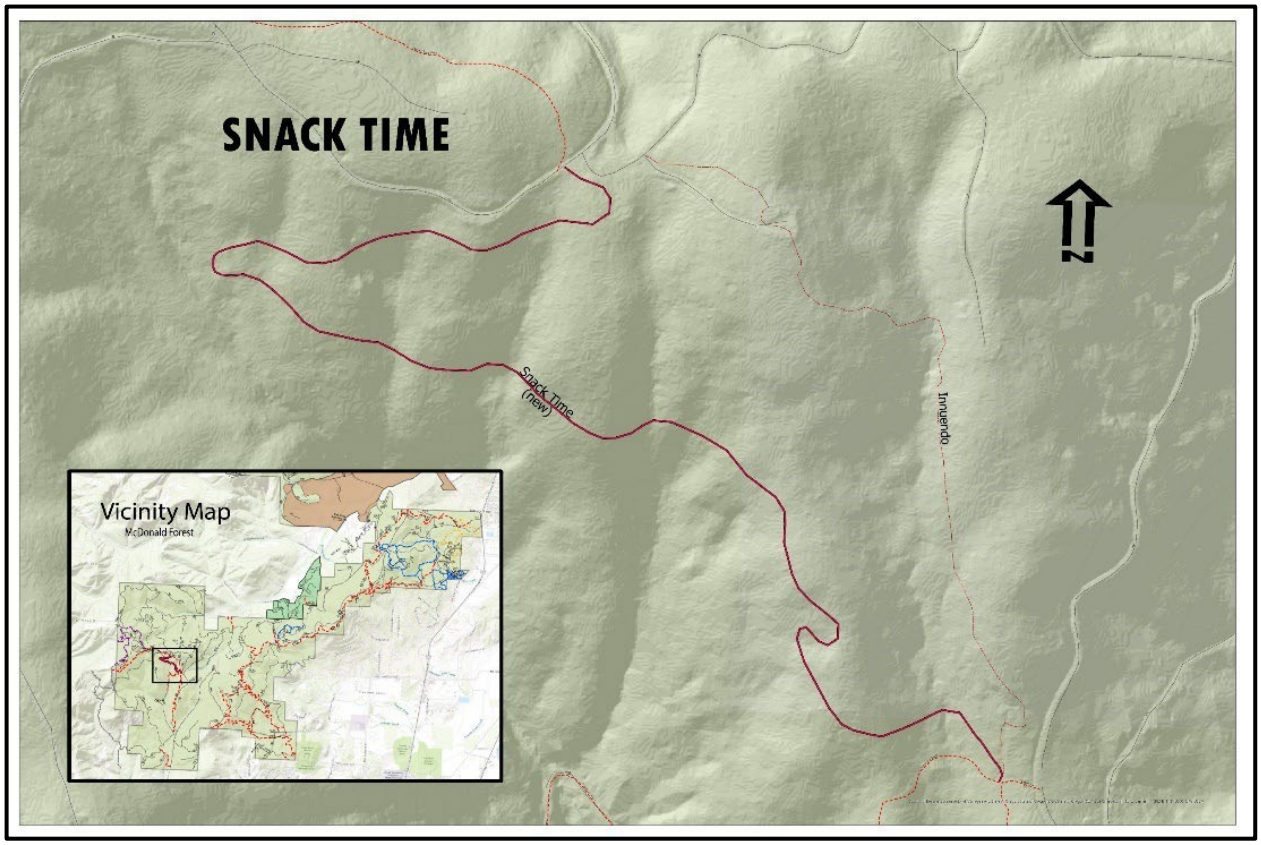
Snack Time trail Appeal Staff Report

FILE NUMBER	LU-26-030-OSU-Snack Time trail,
REQUEST	Modification of Conditional Use Permit adding the Snack Time trail to the approved recreation development (LU-16-077)
APPLICANT AND OWNER	Oregon State University, College of Forestry
APPELLANTS	Daniel Rosenberg, Jennifer Gervais, Steve Cook, and Terri Cook; represented by Zack P. Mittge, Hutchinson Cox
LOCATION AND ZONE	McDonald-Dunn Research Forest, Benton County; Forest Conservation (FC); Comprehensive Plan designation Forestry
HEARING	Tuesday, December 1, 2026, 6:00 p.m. Kalapuya Building, 4500 SW Research Way, Corvallis
REVIEW PROVISIONS	BCC 51.205, 51.605–51.615, 51.805–51.840; 53.150–53.160, 53.215–53.235; 60.215–60.220; applicable LU-16-077 conditions; ORS 215.416(11);
STAFF CONTACT	James R. Wright, Associate Planner



I. SUMMARY

Oregon State University (OSU) requests a conditional use permit modification to add the mapped Snack Time trail, an approximately 4,950-foot (0.94-mile) internal connection between existing trails in the McDonald-Dunn Research Forest. The proposal adds no new public entrance, trailhead, vehicle access, parking, building, utility, campsite, or other visitor-support facility. This report evaluates the request under BCC 53.225, the conditional use criteria in BCC 53.215 and 60.220, and the related appeal issues. Staff's findings support approval of the modification, subject to conditions.

This report evaluates the applicable code criteria, issues raised on appeal and provides supplemental findings, it concludes with decision options and a staff recommendation to approve the request.

II. BACKGROUND AND PROCEDURE

On September 5, 2017, the Planning Commission approved Conditional Use Permit LU-16-077 for a Recreation Plan within the McDonald-Dunn Research Forest. Condition 1 requires later modifications to the Recreation Plan, other than those specifically addressed in the decision, to be processed under BCC 53.225. The original approval included conditions of approval, which OSU has satisfied.

In 2025, County staff received a complaint concerning trail construction that was not included in LU-16-077. On January 26, 2026, staff provided OSU with a process letter explaining the County's application and review process for adding the Snack Time trail connection.

In response to the code compliance matter, OSU submitted a conditional use application on April 4, 2026, and paid the applicable fees on May 21, 2026. The County issued a Notice of Application on August 5, 2026. On September 18, 2026, the Planning Official approved the application with conditions and mailed a Notice of Decision. The appeal was received on September 30, 2026; the appeal letter is dated October 1, 2026.

The appeal is subject to de novo review under ORS 215.416(11)(a)(D)–(E) and BCC 51.805 through 51.840. The authority may consider relevant testimony, arguments, and evidence accepted into the record.



Figure 1: Snack Time trail (crib wall section)



Figure 2: Snack Time trail Upper Section

III. SCOPE

The application is limited to the mapped Snack Time trail. The approximately 4,950-foot segment connects the existing Lower Play Time Trail with the Uproute Trail within the established recreation network approved through LU-16-077. The proposal does not include a new public entrance, trailhead, vehicle access, parking area, building, or utility service access. Existing conditions of LU-16-077 continue to apply except to the extent this decision modifies a condition.

The upper connection to Snack Time Trail is approximately three miles along Forest Road 680 from the Oak Creek parking area. The lower connection is approximately 2.7 miles from the Oak Creek parking area along Forest Road 6020 and Uproute trail. The trail is located within the approximate 11,510-acre McDonald-Dunn Research Forest.

On November 4, 2026, staff conducted a site visit and observed that work on the trail had been halted. Pink flagging marked the route, and short crib-wall sections had been constructed in portions of the alignment. The site visit documents the physical condition observed on that date as shown in Figures 1, 2, and 3.



Figure 3: Snack Time trail

IV. APPLICABLE CODE CRITERIA

As explained in the prior report issued by the Planning Official, on September 18, 2026, the proposed Snack Time Trail modification is evaluated against the applicable conditional use review criteria in the Benton County Development Code. The criteria are provided below, along with staff's findings and conclusions addressing the proposed trail modification and the issues raised on appeal.

Compatibility with adjacent uses, area character, and the Forest Conservation zone — BCC 53.215(1) and 60.215(1)

> **BCC 53.215(1):** *The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.*
>
> **BCC 60.215(1):** *Parks and campgrounds are conditional uses in the Forest Conservation zone. Recreational opportunities allowed in the zone are limited to those determined to be appropriate in a forest environment.*

Staff finding:

1. The 2017 approval authorized a recreation development within the approximately 11,510-acre McDonald-Dunn Research Forest, including an established network of recreational trails. The proposed modification is consistent with the previous land use approval, established character of the property, the purpose of the Forest Conservation zone, and is not expected to intensify or create any new impacts that would seriously interfere with nearby uses beyond what was previously approved.
2. The Snack Time trail is an internal route within the research forest. The proposal does not include a new trailhead, public entrance, vehicle access, or parking area and does not establish a separate recreation destination.
3. The site is an actively managed research forest where forestry, research, education, and recreation occur and are managed by Oregon State University. The proposed trail remains within the existing recreation network and does not add visitor-support facilities. The record identifies no new use on adjacent property and no expansion of the approved recreation operation beyond the mapped trail connection. Existing conditions of LU-16-077 continue to govern the recreation development.

Conclusion: Because of the size and type of trail facility, and its consistency with existing conditions the application meets the criteria of BCC 53.215 (1) and 60.215 (1).

Public improvements, facilities, utilities, and services — BCC 53.215(2)

> **BCC 53.215(2):** *The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.*

Staff finding:

4. Primary access to the Mac-Dunn Forest is provided by the existing county road network, including Arboretum Road, Jackson Creek Road, Lester Avenue, Oak Creek Road, and Sulphur Springs Road. The Oak Creek trailhead parking area was previously approved as part of CUP 2017 with parking restrictions, webcam, “loop” traffic flow and installation of break-away bollards along east and west side of NW oak Creek Dr. Existing improvements at Lewisburg Saddle include parking improvements, vault toilets, horse trailer parking, and bike racks. The proposed Snack Time Trail modification does not include new public road connections, trailhead facilities, parking areas, or other improvements that would increase demand on the existing transportation network.

The proposed trail connection does not require public water, sewer, or other public utility extensions. The area is served by Corvallis Rural Fire Protection District. The proposed trail is intended to provide an internal connection between existing trails within the research forest. It does not establish a new public entrance or trailhead and is not expected to increase recreational use or create additional or undue demands on fire protection, emergency response, or other public services.

Public Works provided the following statement:

> *There are over 140 miles of networked trails and forest roads in the McDonald-Dunn Forest. The creation of the Snack Time Trail represents a lengthening of this network by approximately 0.007%. It would be extremely difficult to determine if the addition of this length of trail can be correlated with an increase in vehicular traffic at any of the major trailheads. As noted previously by staff, the Snack Time Trail does not constitute a new trailhead or access point but acts as an internal connector to the trail/forest network.*
>
> *After the LU-16-077 decision was rendered, the County's Public Works Department (PW) worked with Oregon State University (OSU) and the public to establish traffic and parking mitigation at the Oak Creek trailhead. The mitigation currently in place may represent the limit of those efforts outside of a complete retrofit of the facility for which there is no funding. An alternative suggested by the applicant (edge lane roads) have not yet been approved by the Federal Highway Administration (FHA) and are not included in the current Manual on Uniform Traffic Control Devices (MUTCD).*
>
> *The Current facility is classified as a Minor Collector in the Benton County Transportation System Plan (TSP). The typical section and construction requirements for a facility of this classification are illustrated below.*
> *The existing facility does not meet standards for right of way, shoulder width, or section depth. The existing Average Daily Traffic (ADT) is approximately 870 vehicles per day (VPD) based on counts taken at the intersection of Cardwell Hill Drive in 2026. This ADT is down from 912 VPD based on counts taken in 2017. These traffic numbers are dominated by residential traffic to the Skillings, Hope, and Tanager Drive neighborhoods. The cost to bring the segment of Oak Creek Drive between Tanager Drive and the Oak Creek trailhead to current standards would likely exceed one million dollars.*

Conclusion: The application meets the criterion of BCC 53.215 (2).

Additional Forest Conservation criteria — BCC 53.215(3) and 60.220

BCC 53.215(3): *The proposed use complies with any additional criteria which may be required for the specific use by the Development Code.*

BCC 60.220(1): *A use allowed under BCC 60.205 or 60.215 may be approved only upon findings that it:*

(a) will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;

(b) will not significantly increase fire hazard, fire suppression costs, or risks to fire suppression personnel; and

(c) complies with BCC 53.215 and 53.220.

BCC 60.220(2): *As a condition of approval, the owner shall sign and record in the County Deed Records the declaratory statement recognizing the rights of adjacent and nearby landowners to conduct forest*

operations consistent with the Forest Practices Act and Rules and recognizing the hazards associated with the area.

Accepted forest practices — BCC 60.220(1)(a)

BCC 60.220(1)(a): *The use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.*

Staff finding:

5. The 2016 application and subsequent 2017 approval addressed these criteria, finding that OSU's proposed recreation plan could be managed without conflicting with neighboring properties or forest management and harvesting activities. The modification to add the 4,950-foot (0.95 mile) Snack Time trail within the existing approved research and recreational forest will not cause a significant change. OSU states that Snack Time trail improves access for forest inventory and management. Allowing OSU to close the trail during timber harvest, research, fire danger, or other forest operations would help avoid further conflicts.

2. Fire hazard, suppression costs, and personnel safety — BCC 60.220(1)(b)

BCC 60.220(1)(b): *The use will not significantly increase fire hazard, significantly increase fire suppression costs, or significantly increase risks to fire suppression personnel.*

Staff findings:

6. The proposal adds a trail segment within an existing recreation area and does not include campsites, cooking facilities, buildings, or a new public access point. OSU states that improved access may assist forest management and fire response, and that recreational visitors may help identify and report fire starts. While these benefits do not establish that recreation creates no additional ignition, evacuation, or response risk, the risks created by this trail are insignificant. As the forest owner and manager, OSU would presumably, not propose a use or change that would significantly increase fire hazard risks, and would maintain control to close trails and areas of the forest should fire risk be too high.

Conclusion: The application meets the criteria of BCC 53.215 and 60.220 (1)(a) and (b).

Existing approval and requested modification — BCC 53.225 and 53.230

BCC 53.225: *An original applicant or successor in interest may request that a conditional use permit be modified if a change in circumstance has occurred since approval which would justify a change in the permit. Such application shall be processed as a new request for a conditional use permit.*

BCC 53.230: *Unless otherwise specified at the time of approval, a conditional use permit for a single-family dwelling is valid for ten (10) years from the date of decision and other conditional use permits are valid for two (2) years from the date of decision.*

Staff finding:

7. Condition 1 of LU-16-077 requires modifications to the Recreation Plan that were not addressed in the original decision to be processed under BCC 53.225.
8. OSU's proposal is to add an additional trail that was not encompassed under the 2016 land use application. The addition of a trail requires a modification to the previously approved Conditional use.
9. Conditional use approvals for non-residential uses are valid for 2 years unless specified otherwise. The 2017 revised conditions document gave a 5-year period. This means that the applicant was given five years from the approval date to satisfy conditions of approval. OSU completed the required conditions within that timeframe; therefore, the 2017 approval remains valid and in effect today. The subject

property continues to operate as a research forest with recreational trails within the parameters of the 2017 approval.

V. STAFF RESPONSE TO ISSUES RAISED ON APPEAL

Appellant's claim that several errors were made in the Planning Official's decision to approve the request to construct Snack Time trail. Each claim is addressed below.

Validity of LU-16-077 and appeal ground 1

Appellants Statement (1): The Planning Official exceeded her jurisdiction by approving modification of a conditional use permit application which has expired or become void under LU-16-077 and Section 53.230

The appellants contend that LU-16-077 expired under BCC 53.230. As provided above, in finding 9 the period of validity applies to satisfying the conditions of approval. Based on the records in the file OSU satisfied the conditions of approval and the land use approval is still valid.

Administrative decision authority and appeal ground 2

Appellants Statement (2): The Planning Official exceeded her jurisdiction by purporting to approve a modification of a conditional use permit application as an administrative action when section 53.225 required that the modification be processed as a new request for a conditional use permit and that the decision be made by the Planning Commission under 51.605(1)(b).

BCC 51.605(1)(b) does not identify the provision governing decision-making authority. BCC 51.605(1)(b) establishes the public notice requirements for conditional use applications; it does not independently assign responsibility for making the initial decision.

BCC 53.150 states that administrative, or staff-level, review is the correct procedure for land use actions involving little discretion. In this case, review of the proposal required little discretion. The original conditional use permit is in effect and all conditions of approval satisfied. The proposed trail segment is very short relative to the network of trails within the McDonald-Dunn Forest to which it is connected, including those identified in the 2017 approval. Because of the short trail length, its consistency with the prior approval, and no or negligible impact, the Planning Official concluded that little discretion was needed to reach a decision. However, because some discretion was used and the trail was a modification to the original 2017 approval, public notice was mailed and a decision reached in accordance with BCC 53.225.

Staff interprets BCC 53.225 to allow the Planning Official to process this request as a Conditional Use Modification. The existing Recreation Plan was previously approved by the Planning Commission, and the current application seeks to modify that approval rather than establish a new use on the property. If the Planning Official erred, the method to correct that error is for the Planning Commission to decide on the application.

Changed circumstances and appeal ground 3

Appellants statement (3): The decision violates section 53.225 as the applicant has not demonstrated that a change in circumstances that warrants a modification of LU-16-077.

The appellants also contend that OSU has not demonstrated a change in circumstances that justifies modification. As provided in finding 8, BCC 53.225 requires a change in circumstance that would justify a

permit change, but it does not identify a separate list of qualifying events or a numeric threshold for when a modification is warranted or required. OSU proposal is to add an additional trail that was not encompassed under the 2016 land use application. Staff determined that the addition of a trail requires a modification to the previously approved Conditional Use.

Adjacent uses and forest suitability and appeal grounds 4 and 7

Appellants Statement (4): The decision violates section 53.215 (1) by allowing a proposed use which seriously interferes with the uses on adjacent property, with the character of the area and with the purpose of the zone.

Appellants statement (7): The decision violates section 60.215(1) of the Forest Conservation Zone by approving a mountain bike route that is not appropriate for the forest environment.

The appellants contend that the route would seriously interfere with adjacent uses and is not appropriate for a forest environment. As stated in finding 1, based on its limited length, internal location, connection to existing trails, and the fact that new access or visitor facilities are not proposed or required, staff finds that the proposed trail is compatible with the established character of the research forest and is an appropriate recreational connection within the existing approved recreational use of the Forest Conservation-zone property.

The appellants contend that the route would force a significant change in or increase the cost of accepted forest practices. As stated in finding 5, the trail's location within the established network, its stated forest-management access function, and enforceable closures during forest operations support a finding that it will not cause the level of interference described in BCC 60.220(1)(a).

The appellant states the approval of a mountain bike route is not appropriate for the forest environment. The request is a modification of a previously approved recreational plan located within the forest environment that included mountain bike use.

Public facilities and services and appeal ground 5

Appellants statement (5): The decision violates 53.215 (2) by allowing a proposed use which imposes an undue burden on public improvements, facilities, utilities, or services available to the area.

The appellants contend that the trail would impose an undue burden on available public improvements, facilities, utilities, or services. The proposal does not add facilities or create a new point of public access. On the information in the record, staff find that the limited internal connection will not impose an undue burden under BCC 53.215(2).

Additional criteria and appeal ground 6, 9, and 10

Appellants statement: (6) The decision violates section 53.215 (3) by not complying with additional criteria required for the specific use by the code.

The additional applicable FC Zone criteria are stated in BCC 60.220 and are addressed below.

> *Appellants statement: (9) The decision violates section 60.220(1)(a) by allowing a route which will force a significant change in or significantly increase the cost of accepted farming or forest practices on agricultural lands.*
>
> *Appellants statement: (10): The decision violates section 60.220(1)(b) by significantly increasing the fire hazard or significantly increasing the fire suppression cost or significantly increasing risk to fire suppression personnel.*

The appellants contend that the trail would significantly increase fire hazard, suppression costs, or risks to fire personnel. The limited physical scope of the proposal and absence of campsites or cooking facilities reduce some potential sources of risk. Enforceable closures during periods of elevated fire danger, active forest operations, or emergency response are also relevant to this criterion. Staff findings and conclusions regarding these criteria are provided above. In summary, Staff find the criterion can be met with fire-related and operational closure conditions that identify the closure authority and closures being communicated to trail users by Oregon State University Website.

Additional criteria and appeal grounds 8

Appellants statement (8) The decision violates section 60.215(1) of the Forest Conservation Zone and OAR 660-034-0040 by approving development of a mountain bike route without the required park master planning.

The appeal cites BCC 60.215(1) and OAR 660-034-0040. That rule does not require a local park master plan for every decision involving a park use.

For this reason, Staff believe that one internal trail does not automatically require a new master plan for the entire forest as identified in OAR 660-034-0040.

Adequacy of findings and appeal ground 11

> **Appellants statement (11): The Planning Official makes a decision which is not supported by adequate findings addressing the relevant criteria.**

The Conditional Use Staff Report approved by the Planning Official on September 18, 2026, identified the applicable approval criteria and addressed those criteria previously evaluated as part of the original Recreation Plan.

V. DECISION OPTIONS AND STAFF RECOMMENDATION

Staff analysis finds that the proposed Snack Time trail Conditional Use Permit Modification satisfies applicable review criteria and conditions of approval from the 2017 Conditional Use Permit. As such, Staff recommends approval with conditions stated in the September 18, 2026, Notice of Decision.

The Planning Commission has three decision options:

1) Uphold the Planning Official decision for a modification of a Conditional Use Permit subject to the conditions of approval stated in September 18, 2026, Staff Report.
2) Uphold the Planning Official decision for a modification of a Conditional Use Permit with modified conditions of approval.
3) Overturn the Planning Official decision for a modification of a Conditional Use Permit thereby denying the addition of Snack Time trail.

VI. CONDITIONS OF APPROVAL

1. **Scope and conformance**: Approval is limited to the Snack Time Trail alignment shown in the April 27, 2026, application, approximately 4,950 feet in length. Development and use shall conform to the application except as modified by these conditions.
2. **Continuing LU-16-077 obligations**: Conditions 1, 3, 4, 5, 6, and 7 of LU-16-077 remain in effect to the extent applicable to Snack Time and circumstances unchanged by this modification, including requirements addressing conformance, parking and transportation management, Oak Creek safety measures, the FC Zone declaration, protection of Fender's blue butterfly, and evaluation of emergency-only evacuation access. Nothing in this decision excuses or resolves a separate violation of

LU-16-077. If an express conflict exists, the more specific requirement of this decision governs only for Snack Time.

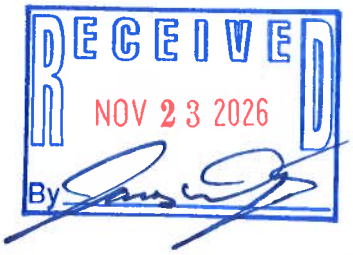
3. **No authorization of other development**: This decision does not authorize any other trail, trail reroute, trailhead, parking area, road access, building, utility, or recreational facility. Other development is subject to the land-use review, if any, required by the Code when proposed.
4. **Decommissioning Innuendo:** Within 30 days after this decision becomes effective, OSU shall close and decommission the older Innuendo alignment depicted in the application. Decommissioning shall discourage continued use and stabilize disturbed soil. Within 30 additional days, OSU shall provide dated photographs or equivalent documentation to the Planning Division.
5. **Fire and operational management**: OSU shall apply its adopted Research Forest fire restrictions, seasonal or emergency closures, visitor notices, and emergency procedures to Snack Time. OSU may and shall close the trail when required by applicable fire restrictions, forest operations, research activities, or hazardous conditions. Nothing in this approval limits OSU's authority or responsibility to restrict public access during those periods.
6. **FC Zone declaration**: Before this approval becomes effective, OSU shall provide the Planning Division with the recording reference demonstrating that the declaration required by BCC 60.220(2) covers all property containing the approved alignment. If it does not, OSU shall execute and record the required declaration and provide the recording reference.
7. **Compliance verification**: Upon reasonable request, OSU shall provide information necessary for the County to verify compliance with these conditions. Compliance matters outside the scope of this decision remain subject to separate enforcement under applicable law.

VII. RECORD AND ATTACHMENT LIST

Exhibit	Description
A	Public Testimony Received Before November 25, 2026
B	Notice of Planning Commission Meeting
C	Appeal Application
D	Notice of Planning Official Determination
E	Planning Official's Staff Report, Including Attachments A-J

APPENDIX
EXHIBIT A

Public Testimony Received Before November 25, 2026



Jim Fairchild
31540 Homestead Road
Philomath, OR 97370

Benton County Development Department
Kalapuya Building
4500 SW Research Way
Corvallis, OR 97333

November 23, 2026

RE: LU-26-030, OSU CUP Modification Request Testimony

Dear Planning Commissioners,

Thank you very kindly for your continued service to our community, and your thoughtful consideration of this application, as it has taken on its convoluted route to your review.

Introduction

As former President and Conservation Chair for Audubon Society of Corvallis, now known as Mid-Willamette Bird Alliance (MWBA), I have followed activities and developments for many years along upper Oak Creek Drive, the road section beyond its final crossing of Oak Creek to the university ownership. The MWBA property is at 8590 NW Oak Creek Drive, known as Hesthavn. MWBA has a Conditional Use Permit (CUP) which both directs and constrains what can take place on that property into the future within this rural residential zone. Any other planned construction, activity or development not already approved requires issuance of a new CUP by Benton County. That is the function of a permit.

I also served for a time as the Audubon representative on the Stakeholder Advisory Committee for the development McDonald-Dunn Forest Plan revision. I no longer serve in any Audubon or MWBA representative capacity, and my testimony here is entirely my own. I still assist MWBA in the maintenance of its Hesthavn property, and that has included assistance in signage on its CUP size-limited parking area where "overflow" McDonald Forest recreational user trespass parking has interfered with its daytime open visitor use. Trespass parking also increases wear to its Oak Creek Drive driveway aprons.

Outlook

LU-26-030

From Martha Truninger <martha.truninger@gmail.com>
Date Mon 11/23/2026 3:27 PM
To Planning Comments <planningcomments@bentoncountyor.gov>; Martha Truninger <martha.truninger@gmail.com>

You don't often get email from martha.truninger@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests. I specifically support the building of trails in the forest.
I use the forest for hiking and mountain biking.

I have lived and worked in the Corvallis area since 1981. I used to go running, hiking and biking 4 to 8 times a month in McDonald forest. I remember driving to the Oak Creek entrance when the road was gravel and there were no houses. I was always able to find a parking space. Now with the restriction of parking at Oak Creek, I have gone one time in the last 2 year period. It has been so disappointing that the parking has become so limited.

I love biking in the forest on the trails. The experience offers so much beauty, which is inspiring and rejuvenating. I gain access to trails from other entry points around the forest.

Regarding the Snack Time appeal, the Commission should allow the building of trails such as Snack Time and Innuendo. I bike Play Time regularly and access it from Sulfur Springs parking and the Sulfur Spring Saddle parking area. I could bike Play Time, Snack Time and then return to parking via a number of trails without ever needing to park at Oak Creek. Since the parking at Oak Creek will continue to be limited, I do not think that the Snack Time trail could increase traffic there.

Looking ahead, I would love to see more trails. Recreating in McDonald/Dunn is so fun . I would love to see more parking at Oak Creek. It's been very disappointing that a few families that live on Oak Creek are allowed to dictate how many people have access to the forest. They should not be able to shut down trail building. Biking in the forest is such a source of joy for our community.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close

Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Martha Truninger
Mailing address: 1130 NW Overlook Dr, Corvallis, OR 97330

Testimony

I focus here on the Oregon State University (OSU) request for retroactive modification of its existing CUP, terms of which legally can no longer be modified. Yet OSU has tacitly allowed, and facilitated through the provision of a gate key, a recreational user group to construct a number of trails within its McDonald Forest, beyond both those identified as present in that CUP, and beyond those envisioned and identified in the CUP in its Appendix B. Such trail construction was specifically prohibited until a new CUP is granted.

My primary concern is safety along upper Oak Creek Drive. Safety for the many rural residential neighbors. Safety for Hesthavn visitors. And safety for through traffic, where commercial and recreational traffic demands of the McDonald Forest on its Forest Conservation zoned lands are not planned to decrease. Its recent forest management plan revision and its soon to be released Visitor Use Management Plan (VUMP) anticipate increased transportation use of Oak Creek Drive. VUMP planning includes the retention of all current existing trails, and a further five- to ten-year trail development plan.

Even with the paving and widening of upper Oak Creek Drive, this roadway section is currently inadequate for its combined commercial and recreational use. Without any shoulder or centerline marking, traffic yielding is undefined, and vulnerable road users (pedestrians, cyclists, people with disabilities) are regularly forced aside by motor vehicles, including heavy logging and forest roading equipment. According to county records, average traffic speed normally exceeds 25 miles per hour, and regularly exceeds 35 mph. Along portions of the Hesthavn property, pavement continues to collapse from its steepened and unsupported edge. Linear pavement fractures also indicate continuing roadbed subsidence, which is exacerbated by loaded log truck traffic bearing to its proper and downslope right side of this road. All of this presents an accident only waiting to happen.

Counter to the 2017 CUP with its conditions of approval, planning towards alternative access to McDonald Forest, or for emergency egress routes for the broader Oak Creek Drive area residents, has not be addressed by OSU or by Benton County. Over its length, Oak Creek Drive is the single access and emergency egress route for hundreds of residents. When a wildfire or other emergency arises, sheriff officers will likely already be addressing more immediately urgent concerns than driving to and unlocking one OSU gate to provide additional egress, when most traffic will be taking its only opposing route out. Depending on weather conditions, recreational users within the McDonald Forest itself may have other alternative egress routes. Yet they have no defined role in wildfire reporting, response, or other emergency assistance. They are also not required to carry basic firefighting tools during declared periods of high fire danger.

The specific additional "Snack Time" trail is already under construction [see attached image]. The OSU request specifically asks that Benton County retroactively "authorize" its completed construction as a replacement for the Innuendo (aka Endo) trail, the construction of which was never explicitly authorized by OSU or by Benton County. The trail-building community, led by Team Dirt, a local chapter of the International Mountain Bicycling Association, and its representative on both the forest plan revision and VUMP, contend that this additional trail leads to increased fire prevention surveillance and ease of suppression activities. A created Snack Time trail presence instead only adds additional human ignition source points into less accessible areas, while its winding route and jump features would physically impede suppression access.

The single advantage I've heard expressed for having more trails is to further disperse trail users across the ownership, thereby reducing the likelihood of encountering others. While adding more trails increases trail user capacity, it fails to address trailhead access "choke" points, which add a significant burden to public facilities, such as roads.

This trail-for-trail trade is not, as presented, the retroactive incorporation of a one-for-one trail, but an end-run by OSU around the entire 2017 CUP, which it had earlier accepted. It now intends to permanently disconnect any of its recreational development from the impact on the character of the Oak Creek rural residential neighborhood, and the burden of human safety concerns it places on its visitors and neighbors. Despite this situation, proponents for the retroactive incorporation of Snack Time are here requesting retention of the unauthorized and badly designed Innuendo trail.

Finding Common Ground

The normal CUP process is defined by Benton County Code and Comprehensive Plan under Oregon Land Use Laws, and should be applied here. OSU has the opportunity to bring the College's Visitor Use Management planning into compliance with those laws, while attempting to address, with the assistance of Benton County, the substantial human safety, transportation, and undue burden its recreational and commercial development places on adjacent resident neighbors. That process should not be pursued in the absence of transparency and community input through this inappropriate CUP modification request. Instead, the soon-to-be-released VUMP must be accompanied by the already planned OSU Phase II CUP application.

But first I recommend that safety concerns could immediately be addressed along upper Oak Creek Drive, without any CUP modification or new CUP, and executed by Benton County with the cooperation of OSU. As recommended in testimony by others, and already used in many areas of Europe and adopted in areas of the United States, simple signage and

painting pavement in an Edge Lane Road (ELR) configuration is suitable here, where traffic volume and sightlines are advantageous. It provides for a central two-way motor vehicle lane, bounded by two one-way narrower vulnerable user lanes. ELRs demonstrably slow motor vehicle traffic, shift heavy loads to the roadway center, and allow opposing vehicle traffic to pass when edge lanes are unoccupied.

The greater value of a installing a simple ELR configuration here would be having OSU and Benton County demonstrate concern for neighbors and a display of good faith, where unneeded conflict and mistrust have been built.

Looking out for one another's interests could come first.

Thank you again for your contribution of service to our Benton County community.

Respectfully,

Jim Fairchild
31540 Homestead Road
Philomath, OR 97370



RE: Testimony to the Planning Commission on Appeal of Planning Official's decision of OSU's Application for a Modification of Conditional Use Permit; Reference File # LU-26-030

Steve Cook
8600 NW Oak Creek Drive
Corvallis
541-760-2159
Stevecook2011@gmail.com

I specifically request that my comments be included in the hearing record.

Who I am and why I'm commenting:

1. I'm a local resident; our property abuts the parking area at the end of Oak Creek Drive.
2. I've got a Master's Degree related to wildland recreation management and six years of experience managing public land.
3. I've got a PhD related to wildland/urban fire issues and experience as a wildland fire fighter.
4. I'm an inveterate bicycle rider, having ridden over 75,000 miles in the past thirty years. I've ridden a mountain bike in the mountains of Chiapas, Mexico; Vietnam; Myanmar; and led mountain bike treks in northern Albania. I've also ridden a mountain bike extensively in the McDonald "Research" Forest beginning in 1996.

Why are we here?

1. Benton County has planning authority to zone land in Benton County.
2. There are restrictions on what can occur in each zone.
3. OSU McDonald "Research" Forest was zoned long ago as "Forest Conservation."
4. Forest Conservation zoning is what most industrial forest land is classified.
5. The Forest Conservation zone designation does not allow recreational development.
6. Recreation development in a Forest Conservation Zone requires a Conditional Use Permit.
7. A Conditional Use Permit was issued in 2017 grandfathering in existing recreational development in the McDonald "Research" Forest (I put "Research" in quote marks, because the forest is managed primarily for wood fiber production. Little peer-reviewed research is conducted in this "Research" Forest.
8. The 2017 CUP also allowed a specific list of additional recreational development that must be completed within five years—2022.
9. On that list of additional recreation development to be allowed were specific trails.
10. Any further recreation development required an additional Conditional Use Permit.

Frankly, I thought this issue was settled by the 2017 CUP. Further recreational development in the Oak Creek portion of the McDonald "Research" Forest was prohibited because Oak Creek

Drive was unsafe for more traffic. Any further recreation development required an additional conditional use permit.

Now comes OSU, requesting further recreation development without an additional Conditional Use Permit.

What's going on?

There are three entities involved in this issue:

1. mountain bikers represented by Team Dirt, who want another mountain bike trail in the McDonald "Research" Forest;
2. OSU which, as was clear during the discussions around the Conditional Use Permit in 2017, and by comments made in this application for a new trail, believes that Benton County does not have authority to restrict activities on the public land OSU manages;
3. Those of us who believe that the county does have the authority to zone property in Benton County and that Conditional Use Permits have meaning. And that the 2017 CUP was very clear that additional recreational development was not to occur utilizing the Oak Creek Drive access, as the road is dangerously narrow; has a blind hill; blind corners; a ridiculously narrow bridge (combined with a blind corner, as Tanager intersects Oak Creek Drive on a blind corner at the bridge); and no shoulder beyond the fog line in several places on the west side beyond Rosenberg's home where the road is too narrow for a center line.

For the 2017 CUP, OSU on the list of recreation development in the McDonald "Research" Forest, OSU indicated additional recreational development. Included is a mountain bike trail in the area of the one being proposed in LU-26-030. But OSU did not follow-up within the five-year period allowed by the 2017 CUP. It makes one wonder why this additional trail was so unimportant as to be ignored for nine years, but is now so critical and has so many other uses.

I'm going to go through the Notice of Application for Staff Decision LU-26-030 CUP Modification and comment, based upon my background, education and experience, OSU's claims for the need of this further recreation development in the McDonald "Research" Forest.

Proposal Summary:

I'll address the bullet points one at a time (my comments are all in italics):

"Increased access for forest inventory, fire suppression, and other management activities within a roughly 80-acre area that is not served by other roads or trails."

This suggests that access in needed through every eighty acres of the McDonald "Research" Forest. That would be 143 trails in the forest. What makes this eighty-acre parcel special? The forest that the proposed Snack Time trail would pass through has existing roads within a quarter mile on all sides. Any of the activities noted can easily be accomplished utilizing the existing road net. "Fire suppression" is particularly nonsensical as any fire suppression would be dealt with from existing roads.

"Increased access for College of Forestry educational events, such as field visits by classes and access to facilitate future research activity."

There is nothing unique about this eighty-acre parcel of the McDonald "Research" Forest. I have walked through the area several times; it is very similar to the surrounding forest. Again, field trips and faculty research would be based on the road net.

"Recreational access for the public. It should be noted that high levels of recreational use on the forest landscape facilitate early detection and reporting of fires starts (Leo Williamson, Oregon Department of Forestry, pers. Comm 08/19/2025), and furthermore it has not been noted to result in higher frequency of fires starts (ibid.). Trails, therefore are an important part of the wildland-fire related infrastructure."

This section is pure nonsense. The probability of a fire originating on this eighty-acre parcel of forest is vanishingly small. It is on a hillside well below a ridge where lightning might start a fire and there are forest roads surrounding it. The OSU College of Forestry has no idea how much recreational activity occurs in this area as it has no presence on the ground and has no defensible data on forest recreation or where it occurs. And for OSU to cite a personal communication as a reference is further nonsense. Out of curiosity, I looked up the quoted individual, Leo Williamson. His specialties include neither wildfire or wildland recreation. (I've education, background, and experience in both.) The OSU College of Forestry has myriad research faculty. If wildfire is an issue, any citation of support should be from peer-reviewed articles, and my research could find none that supports this statement.

The reality is that increasing recreational access on the McDonald "Research" Forest increases the likelihood of a fire starting. Since most fires in recreation areas are started by recreationists, it follows that increasing the number of recreationists increases the probability of one of them starting a fire. But, my knowledge of wildland/urban fire issues found that he probability of recreationists starting fires along trails is vanishingly small. Anthropogenic fires in forests are clustered around camping areas and other places where people congregate. The most likely

place for an anthropogenic fire to be ignited is at the parking area at the end of Oak Creek Drive adjacent to my property. Increased activity in the parking area results in a corresponding increase in the likelihood of a fire being started. OSU does a poor job of reducing fire hazards around the parking area. Vehicles are parked with their noses in weeds and brush. As a wildland/urban fire professional, I have concerns each summer of a fire being started in the parking area. More cars equals a higher probability of a fire. I had to threaten a lawsuit before OSU cleaned up the wildfire hazards between my barn and the parking area. And each year I have to raise the issue anew before any effort is made by OSU to reduce the wildfire hazard presented by the hundreds of vehicles that come to the parking area each week.

"Retiring an old, unauthorized, and sub-optimal trail segment, and replacement with a trail built to rigorous trail design standards for both safety and prevention of resource damage (e.g. erosion, impacts to culturally sensitive sites, etc.)"

OSU has known the existence of the "old, unauthorized, and sub-optimal trail segment" [Innuendo] for at least ten years, as it is noted in the 2017 CUP. And claiming that the Snack Time trail will be built to "rigorous trail design standards" is interesting. Team Dirt, which calls itself a "partner" of OSU, began construction on the Snack Time trail in 2025. I have walked the segment of trail that was constructed before Benton County ordered construction activity to cease. The trail is narrow. OSU could claim it would be widened to "rigorous trail standards" but this is questionable as the construction by Team Dirt includes log timbered cribs to create jumps along the trail. Fire suppression personnel entering the area must be mountain bike professionals jumping over barriers, or climbing over them carrying fire suppression gear? Nonsense.

Neither Benton County nor the public would have been aware of this construction of a new "Snack Time" trail, had Team Dirt not publicized it on its webpage. This definitely implies that OSU was aware of the new construction in violation of the 2017 CUP. At the construction site, I found buckets of materials and a large metal box, I suppose with tools inside. I didn't open it. There are also piles of timbers and some partially constructed jumps utilizing these timbers as cribbing. How did Team Dirt get these materials to the site, several miles from any trailhead? A Team Dirt member proudly told one of my neighbors that Team Dirt has a key to the gate. Team Dirt individuals drive a caravan of vehicles into the forest and work on trails without OSU personnel being present. ***"Unauthorized Vehicles Prohibited"*** *proclaims a sign at the locked Oak Creek McDonald "Research" Forest access gate. Either OSU personnel transported this stuff two miles into the forest or Team Dirt used their key to access the forest, and given the sign noted, they must have had authorization.*

In the 2017 CUP under "Conditions of Approval" *in a letter to Kevin Young, Senior Planner, Gordon Kurtz, Associate Engineer, Benton County Public Works states:*

"Public Works strongly recommends that OSU work with the County and the adjacent neighborhoods to establish an emergency egress route through the McDonald Forest. Currently, any natural human-origin disaster that blocks vehicle traffic on Oak Creek Drive north of

Cardwell Hill Drive, would leave residents with no means of escape. This issue should be addressed as part of any long term recreational planning."

Team Dirt has a gate key, I suppose as the "partner" with the OSU College of Forestry. OSU has put signs up at intersections to inform recreationalists, but refuses to give a key for emergency exit of local residents because the roads are confusing. In reality, signs at three intersections could direct traffic between Oak Creek Drive and Lewisburg Saddle. I include the preceding just to indicate the disdain OSU College of Forestry shows for its neighbors.

There is one further issue here. I doubt either OSU or Benton County has ever tried to decommission an "Unauthorised" [illegal] mountain bike route. The very nature of an unauthorized mountain bike route is that mountain bike radicals have hacked a cross-country route across public or private land without permission. I should make a clear distinction here. "Radical mountain bikers" are the far fringe of mountain bikers. Most mountain bikers follow the rules, ride established trails, enjoy the forest. But for the radical fringe, "it's all about the ride." If it looks like a good place to ride, be it public or private land, we don't care. It's all about the ride and we're riding there. The McDonald "Research" forest has been sliced and diced with unauthorized routes hacked in by the radical mountain bikers. If an attempt is made to "decommission" the Innuendo trail, these radicals will just go around the decommissioned sections and hack their way through unaltered forest, creating an additional mess. In my time as a public land manager, I attempted twice to decommission short segments of unauthorized trails that were located in ecologically sensitive areas. Within three days, the radicals cleared out the obstructions and were riding there once again. I suggest checking with Benton County Parks and Natural Areas personnel to confirm this statement. One "Unauthorized" route on the side of McCullough Peak was blocked with a **"Trail Closed; endangered butterfly habitat"** *sign. Response from the radical mountain bikers? Move over a hundred feet and hack a new trail bypassing the sign.*

Since I wrote the above paragraph I read in the "Corvallis Enquirer" that Benton County Sheriff's deputies have charged an individual with destroying public land by hacking in a new mountain bike trail somewhere in the Oak Creek area. If OSU and Benton County are serious about stopping illegal mountain bike access routes being hacked into this public land, anyone caught doing so could be fined $10,000. Perhaps this would get the attention of the radical mountain bikers who do this damage.

"The trail, which is less than one mile in total length, is critical to create connections to the larger trail system and will enhance the forest management, recreational and educational activities within the McDonald-Dunn Research Forest."

As noted above, radical mountain bikers have already slashed 18 routes into the skin of McCullough Peak in the Oak Creek drainage. How many mountain bike trails are enough? When is enough enough? There is no critical need for the Snack Time trail. Team Dirt just wants to be able to ride mountain bikes from the top of McCullough Peak to the valley floor 600 Road. It is interesting to note here that the upper portion of this proposed "connection," including the

Upper Playtime and Lower Playtime trails were also hacked in by radical mountain bikers as cross-country routes and later these same mountain bikers convinced OSU to legitimize their unauthorized route. It isn't a huge imposition for a mountain biker to ride short distances on forest roads that have no vehicular traffic on them. OSU has no trails plan. Up to this point the "planning" that has taken place goes like this: radical mountain bikers hack in a route; ride it awhile; creating a path that entices others to ride the new route; then Team Dirt comes to OSU volunteering to upgrade this unauthorized mess into an Authorized trail. There is no consideration for ecologically sensitive areas, wildlife impacts, the spread of invasive species or erosion/drainage issues. "It's all about the ride."

As I stated above, there is nothing unique in this 80-acre parcel of forest to "enhance forest management, recreational activities…."

"The applicant notes that while it is seeking approval for the Snack Time trail pursuant to this application, the applicant contends that conditional use approval is not necessary for recreational uses that are permitted outright pursuant to Goal 4 and Oregon Forest Practices Act provisions but is pursuing this application to resolve a complaint filed with the county. The applicant specifically reserves the right to argue in the future that specific recreational uses do not require conditional use approval.

And there you have it, members of the Benton County Planning Commission. OSU does not recognize your authority to zone land that it manages. And the evidence I and others have presented indicate clearly that OSU has paid no attention to the 2017 CUP prohibition of further Recreational Development in the McDonald "Research" Forest.

But this is rather inconsistent on the part of OSU, because in the 2017 Conditional Use Permit: "Staff Report, Attachment A, Phased Plan for Recreation Development [by OSU]" under "Additional Trail Construction and Improvements" the fifth bullet point "Reroute of existing UA trail" Innuendo (dependent upon Partnership with Starker Forests, Inc.) (approx. 0.6 miles)(D5-31) or another trail in the McCullough Peak area as a primary use mountain bike trail."

In 2017, OSU included trails as Recreational Development. But now it is claiming that trails are not included in Recreational Development.

We should also note that in 2017 OSU calls the Inuendo replacement trail a mountain bike trail. Suddenly it is needed for fire prevention/fighting; class field trips; and research. These claims are just bunk.

"Applicants response to Applicable Standards and Criteria"

1) "The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of this zone;

[OSU] Response: [paragraph 2] "The purpose of the Forest Conservation Zone is to "conserve forest land, promote management and growing of trees, support the harvesting of trees and primarily processing of wood products, and protect the air, water and wildlife resources in the zone." The proposed trail will meet the intent and purpose of the Forest Conservation zone.

I'm not sure how hacking another trail through an unroaded block of forest will "protect the air, water, and wildlife resources in the zone." *Ecological systems are only impacted negatively by increased human presence. There are few undisturbed blocks in the McDonald "Research" Forest. Perhaps occasionally these other forest values might be given some consideration?*

*And note that OSU doesn't address the first part of this, "*The proposed use does not seriously interfere with uses on adjacent property*…." They go on to interpret* "adjacent property" as the parcels of the McDonald Research Forest surrounding this parcel.

I beg to differ. I own adjacent property. I've already noted the increased fire hazard for my property from increased activity in the parking area at the end of Oak Creek Drive that abuts my property. I didn't mention above that my cat that got killed by a speeding vehicle. I didn't mention the dogs that climb over my fence and chase my goats. I didn't mention that people interact with my goats daily and I have no control over what they feed them, whether they harass them. I didn't mention that I have chickens disappear. I didn't mention the loud music at night from cars in the parking area. There is a constant flow of traffic along my fence and therefore increasing traffic to the parking area with additional recreation development surely does seriously interfere with uses on adjacent property.

[Continuing Paragraph 2]

"The use of the trail, like others in the McDonald-Dunn Research Forest include connections for active forest management, forest inventory, harvesting, fire suppression, educational opportunities and recreational use. "

Once again, this stretches credulity. OSU stated in 2017 this is a proposal for a mountain bike trail and as I noted earlier all these other activities (except harvesting) can be fully accommodated elsewhere from the road net.

2) The Proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and

[OSU] Response: "The proposed trail is less than one mile and connects to other existing trails that have existing trailheads. Therefore, there will not be an impact or burden on public improvements, facilities, utilities, or services available to the area. The existing

services are sufficient for this new trail and may help provide more direct connections to other trails that are not currently accessible."

There are two false statements in this response. 1) The purpose of the 2017 CUP was to prohibit further Recreational Development without a new CUP being written. The CUP restrictions were included ***because*** *of the strain on existing public improvements, i.e. Oak Creek Drive. That portion of Oak Creek Drive beyond the Oak Creek stream crossing (a dangerously narrow bridge) above Tanager Drive was a one-lane dirt road until about 1999. Now it's a bumpy chip seal 1.5 lane road (too narrow for a center line to be painted) with absolutely no shoulder on either side. And on the west side above Rosenberg's home, the fog line is the edge of the pavement above a steep embankment. When two cars meet, both have their tires on or very near the fog line. One bobble, and someone is over the bank. The heavy bicycle use of Oak Creek Drive makes this narrowness doubly dangerous; And 2) The last sentence of the above paragraph is just nonsense. Every developed trail (as well as myriad "Unauthorized" routes) in the McDonald Research Forest is currently accessible. There is an extensive road net closed to vehicular traffic and an extensive trail network.*

60.220 Conditional Use Criteria

[Paragraph 3 1) (a)] Will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;

[OSU] Response:

"This trail connection will provide additional access to support forest management within the McDonald-Dunn Research Forest. The Snack time Trail proposed is simply relocating a previous trail that was approved in the initial Conditional Use Permit (CUP) application. That originally approved trail had significant erosion and needed to be relocated to a more viable location."

This is simply not true. *The existing trail referred to here is the "Innuendo" route that was hacked through undisturbed forest by radical mountain bikers. In its* "Planned Plan for Recreational Development" attached to the 2017 CUP as "Attachment A" *OSU has a section* "Additional Trail Construction and Improvements" *that indicates two things: 1) Most importantly, by including this section,* ***OSU is clearly recognizing that Trail Construction and Improvements are in fact covered by the CUP.*** *Trail building is not exempt from the 2017 CUP conditions. And 2) OSU in this section has included* "Reroute of existing UA…." *(I assume this means Unauthorized)* trail "Innuendo" (dependent on the partnership with Starker Forests Inc.) (appx. 0.6 miles) (D5-31) or another trail in the McCullough Peak area as a primary use mountain bike trail." *The CUP set a deadline of five years for OSU to complete specific items included in* "Planned Plan for Recreational Development." *OSU did nothing to replace the "Innuendo" route within the five-year time limit. It's puzzling that if replacing the "Innuendo" with another mountain bike trail was so important as to be included as a specific*

item in 2017, nothing was done for eight years and now building this new trail is critical. It begs credulity.

And OSU adds:

"Based on the original CUP approval, the larger trail system was determined to have no significant change or increase of costs of forest practices on forest land. Therefore, the Snack Time Trail relocation would similarly have no impact or significant change, as it's still a part of the larger approved trail system."

This paragraph makes no sense. It is not a "Snack Time Trail relocation." The Snack Time Trail is some distance from the Unauthorized Innuendo route. OSU mis-represents the stipulations of the 2017 CUP, which does grandfather in existing trails (although I'm not sure how it's possible to grandfather in "Innuendo" an existing illegal route hacked through the forest by radical mountain bikers.) But by OSU's own admission in the paragraph before this one, it recognizes that only specific additional trail construction is included under the2017 CUP. The 2017 CUP clearly states that any new Recreation Development must occur within five years. That five years expired in 2022. New trail construction after that time requires a new CUP.

(b) Will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and

Response: "The addition of the Snack Time trail will provide increased access to forest inventory, fire suppression, and other management activities within a roughly 80-acre area that is not served by other roads and trails. The trail will also be constructed with rigorous trail design standards for both safety and prevention of resource damage. In addition, trails aid in fire suppression by providing routes for fire monitoring personnel."

(Since OSU responses to these specific issues in the Benton County questionnaire are redundant, I feel compelled to respond to each, therefore my responses are also somewhat redundant.)

To suggest that every 80-acre parcel of the McDonald Research Forest needs a trail through it is simply silly. There are existing roads within a quarter mile of the proposed Snack Time trail. As a person with a background in Wildland Recreation, I challenge the statement that building a new trail which will increase visitation to the forest has no impact on fire issues. Every additional person using public land increases the possibility of anthropogenic fire. But, having said that, the probability of a fire starting in this 80-acre parcel of land is vanishingly small. And as a person with a background in Wildland Urban Fire issues, as well as experience as a wildland fire fighter, no fire boss would send fire fighters into a dense, closed canopy forest like the one through which the Snack Time trail being proposed would pass. Never.

*Then, OSU can't resist challenging credulity once again it goes on to state: "*Since trails can be used as a pre-existing fire break it will actually reduce suppression costs in the event of a wildfire. For example, back-fire or burnout operations can be initiated at a trail to create and

broaden defensible space. Furthermore, suppression personnel are provided with rapid entry and egress when a well-distributed trail system augments the road system. Therefore, this trail will reduce potential suppression costs and facilitate the effectiveness of fire suppression activities."

This is a blatant misrepresentation of wildfire control activities. The proposed Snack Time Trail passes through a dense closed canopy conifer forest with broadleaf understory, mostly on steep slopes. No firefighting professional would ever send a crew into a forest of this type if a fire was within a mile. Fire breaks are established along roads and/or atop ridges. A fire in the Oak Creek portion of the McDonald Research Forest would be a crown fire, the most dangerous type. Firefighting would be from the air, with possibly fire breaks attempted along existing roads, although my experience indicates that the roads in the McDonald Research Forest are not wide enough to use as fire breaks. To suggest that fire fighters could be sent jogging down a mountain bike trail complete with jumps to fight a fire in a closed canopy conifer forest on a steep slope indicates that the person who wrote this section knows nothing of wildland fire fighting. (Or, more likely, believed that Benton County Planning Department personnel reading this have no expertise to assess this statement and OSU is simply insulting your intelligence.)

53-220 Conditions of Approval [Long paragraph here]

Response: "It is understood that the County may impose conditions of approval for the request."

There it is. Acknowledgement of Benton County's authority to put restrictions on a CUP.

Almost as an aside, Benton County Planning Department staff in its approval of the OSU request to construct the Snack Time trail, requires OSU to decommission and rehab the existing "Innuendo" route that was hacked through the forest by radical mountain bikers. Ask any professional land manager and they'll tell you that it is impossible to decommission a mountain bike route. Neither OSU nor Benton County would be willing to commit resources to patrol the forest. In the case of the Innuendo route, the radicals will just move over ten feet and ride anyway, perhaps call the new route "Innuendo too." Perhaps the only way to stop use of a route would be trail camera with a large fine attached. This will never happen. Don't be naïve.

I reviewed "Appendix B", *in the 2017 CUP and found a list of trails that OSU wished to grandfather in. Here is that list:*

Trail Name:

540-547 Connector, Alpha, Baker Creek, Banzai, Beautiful, Calloway Creek, Dan's, Horse, Connector, Dan's Trail, Dave's Trail, Forest, Discovery, **Extendo,** Fir Hollow, Firefighter, Memorial, Firehouse (Cameron), Home stead, Intensive Management, Lower Horse, Maritime, Meander, New Growth, Old Growth, Pond, Powder House, Quercus Meadow, Redcedar, Run, Ridge, Scout (Dunn), Section 36 Loop, Sequoia, Sidesaddle, Sulphur Springs, Upper Horse, **Uproute**, Vineyard Mountain, Woodland.

Then I reviewed the Team Dirt map on the website "Corvallis Trails" and found the following trails in the vicinity of McCullough Peak (Recall that in its 2017 application, OSU stated: "Reroute of existing UA trail "Innuendo" (dependent upon partnership with Starker Forests, Inc. (approx. 0.6 Miles) (D5-31) **or another trail** *(my emphasis)* the McCullough Peak area as a primary use mountain bike trail."

Here are the trails in the McCullough Peak area identified on the "Corvallis Trails" website:

Narnia's Forest, Aslan, Scream, Southridge, Tim's (Hershey's) coda, Screaming Jack, Southside Slip, Old Southridge Upper, Lupine Letdown, Tin Can Alley, Brown Nose, Skilling single Track Upper, Rockslide, Little Snake, The Plunge, New Groove, **Innuendo**, Word to Your Mother, **Uproute, Extendo**.

I have bold-faced the trails that appear on both lists. There are only two—Extendo and Uproute. I suppose we can add "Innuendo" to the first list, as it was dealt with separately in the 2017 CUP by OSU as a possible future trail to be installed.

OSU in 2017 called for "Rerouting "Innuendo **or another trail"** *[my emphasis]. Perhaps one of the eighteen trails on the Team Dirt map in the McCullough Peak area is the* ***"another trail"*** *called for? If not, then it seems that the conclusions that can be drawn from the lack of consistency between these two lists, one from 2017 and one from 2026 include:*

1. *The radical mountain bikers had hacked these eighteen trails into the soul of the McDonald "Research" Forest before the 2017 CUP and then OSU "Authorized" these routes after the 2017 CUP was issued; or*
2. *The mountain bike radicals continued hacking routes into the McDonald "Research" Forest after the 2017 CUP prohibited any further Recreation Development after 2022. And I can only conclude that since Team Dirt is proudly showing these trails on their map, they are comfortable these named routes have been anointed "Authorized" by OSU in violation of the 2017 CUP.*
3. *The only logical conclusion that can be drawn is that OSU continued to "Authorize" new trails in the years since the 2017 CUP in violation of the 2017 CUP.*

The construction of these eighteen trails since the 2017 CUP has increased vehicular traffic on Oak Creek Drive. Add more attractions; attract more visitors. It's one of the adages of recreation management, whether it be trails in a forest or a new ride at the fair. And traffic on the narrow, no shoulder, unsafe Upper Oak Creek Drive is what this is all about. Each new recreational

development, in this case trails, increases traffic on Oak Creek Drive. And that was the thrust of the 2017 CUP, to limit a further increase in traffic on Oak Creek Drive because the road is dangerously narrow.

Another issue that neither OSU nor Benton County has a handle on is a tremendous increase in bicycle traffic coming from Corvallis or the parking area at the entrance to the OSU sheep ranch. I estimate that in the past five years or so the number of these cyclists on the road has increased to about fifty. This increase in bicycle traffic increases the likelihood of a bicycle/vehicle accident. Adding more vehicles make this more likely.

The following are some general comments not specific to the issue of Oak Creek Drive not being of sufficient quality to handle additional traffic resulting from additional recreation development in the McDonald "Research" Forest. Read on only if you are interested in my professional comments relating to the management of the OSU McDonald "Research Forest" and its relationship with Team Dirt and their combined impact upon this public land.

The common good. I believe in serving the common good. As a land manager, I took into consideration not only the human element, but the natural character of the land. Unfortunately, the McDonald "Research" Forest is subject to the perfect storm of devastation. OSU College of Forestry prioritizes wood fiber production over all other values of the land it manages. Nothing gets in the way of this. If you were to list the values of the forest "Wood Fiber Production" would be in size eighty font; "Recreation" would be size twelve font; "Student Education" would be in size ten font; "Research" in size six font; and "Other Forest Values" would be size two font. OSU has only one specific plan, a very detailed Timber Harvest Plan every year. There is no recreation plan; no watershed plan (there is a weir in Oak Creek that has been blocking fish passage for fifty years. It would be easy to install a diversion, but the College of Forestry doesn't care); no wildlife plan (OSU doesn't have an inventory of animals in the forest); No dead and down plan wood plan for this very important issue of providing for a complete ecosystem. In 2019, the College of Forestry mowed down fifteen acres of 250-400 year old trees; the legacy trees so important for genetic diversity. Poof. Gone. Why? The OSU College of Forestry timber manager said "because they weren't putting on wood fiber fast enough."

And for the OSU College of Forestry partner "Team Dirt" it's all about the ride. There is no consideration for erosion, for impact on sensitive plants or animals. No consideration for mucking up streams. "It's all about the ride." If it is fun to ride here, whether "here" is public or private land, makes no difference. It's all about the ride and I'm riding here. When confronted on Marys Peak North Ridge trail, two Team Dirt members told me that they had no impact. One challenged me to put my foot out and he'd run over it to show me that I'd hardly feel his "big twenty-niner" as it rolled over my foot. For this mountain biker, if he doesn't run over you, he is having no impact. "It's all about the ride." Team Dirt is the darling of OSU College of Forestry, because unlike people who appreciate and respect forests, Team Dirt sees clear cuts and monoculture reprod areas as just a different challenge. "It's all about the ride."

The combination of the single-focused land managers and mountain bikers for whom "it's all about the ride" is devastating for a forest. And disgusting.

Thank you for considering my comments on this application.

Outlook

LU-26-030 Snack Time Trail Appeal - Written Testimony

From Aaron Swank <alswank@gmail.com>
Date Mon 11/9/2026 6:16 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from alswank@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

Long time explorer of the trails around the Macdonald forest. Hiking biking and running are amazing outdoor adventures that all Oregonians are blessed to have the opportunity to adventure often in this state.

Adding and keeping new trails invites people to experience these in better and more friendly environments. Allowing others to get outdoors explore and experience these beauty Oregon has to offer.

I would love to see more well curated trails in place to keep the adventure alive.

Thanks for your time.

Full name: Aaron Swank
Mailing address: 1916 Jackson st. Albany Or 97333

Outlook

FW: Comment: LU-26-030 (Snack Time Trail appeal)

From Benton Permit Check <permitcheck@bentoncountyor.gov>
Date Fri 11/6/2026 2:11 PM
To WRIGHT James <james.wright@bentoncountyor.gov>
Cc Benton Permit Check <permitcheck@bentoncountyor.gov>

Leilani Wills, CPT
Community Development Technician
Phone: 541-766-6264
Email: leilani.wills@bentoncountyor.gov
bentoncountyor.gov

From: A Formiga <aekformiga@gmail.com>
Sent: Friday, November 6, 2026 12:30
To: Benton Permit Check <permitcheck@bentoncountyor.gov>
Subject: Comment: LU-26-030 (Snack Time Trail appeal)

You don't often get email from aekformiga@gmail.com. Learn why this is important
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-
I use the forest for hiking and walking with family. I live in the Corvallis area and visit regularly.

Regarding the Snack Time appeal, this sounds like a responsible proposal and I think it does people good to be able to get exercise outside in nature. I understand that the neighbors want to limit traffic on the roads where they live, I feel the same way--but I live on a busy road and it would not occur to me to think that I could restrict public traffic. I don't think this proposal would increase traffic much at all and don't think it is heavy to begin with. Looking ahead, I'd also like to see somewhat increased and improved parking at the Oak Creek entrance since it is so limited--and it limits use of those trails. Sadly, it is unrealistic to expect most hikers to bike there, since it's pretty far from town and the road is windy.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Outlook

FW: LU-26-030 (Snack Time Trail appeal)

From Benton Permit Check <permitcheck@bentoncountyor.gov>
Date Fri 10/30/2026 2:28 PM
To WRIGHT James <james.wright@bentoncountyor.gov>
Cc Benton Permit Check <permitcheck@bentoncountyor.gov>

Leilani Wills, CPT
Community Development Technician
Phone: 541-766-6264
Email: leilani.wills@bentoncountyor.gov
bentoncountyor.gov

-----Original Message-----
From: Anders Carlson <anderscarlson77@gmail.com>
Sent: Friday, October 30, 2026 11:17
To: Benton Permit Check <permitcheck@bentoncountyor.gov>
Subject: Re: LU-26-030 (Snack Time Trail appeal)

[You don't often get email from anderscarlson77@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for trail running.
I live within walking distance of a trailhead.

The MacDunn trail system makes Corvallis special. This town would be a shell of it what it is if these trails didn't exist. Support building more trails!

Regarding the Snack Time appeal, the forest is a research forest that has many uses including logging

and enjoyment. We should increase more trails so we can enjoy this local treasure. Stop standing in the way of folks enjoying their backyard!

Looking ahead, more trails and more trailheads to spread out the number of users.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Anders Carlson

Outlook

LU-26-030 Snack Time Trail Appeal - Written Testimony

From Anna Ramthun <ramthunam@gmail.com>
Date Mon 11/9/2026 3:04 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

Hello,

My name is Anna Ramthun. I am a Corvallis resident, and an active member of the Corvallis Trail running community. I use McDonald Dunn trails at least twice a week and appreciate the work Team Dirt and OSU have done to maintain Trails. I believe there needs to be a pathway for new trail development for the forest over time.

However, as a natural resources professional, I also believe there needs to be respect for the permitting process, environmental review, and consideration for those who live adjacent to our forest areas. Installing trails has environmental impacts. Trails create new pathways for invasive species, pathogens, and predators to enter ecosystems. These species can displace native species, especially those who are dependent on interior forest habitats or higher quality forest habitats. Trails also bring in human traffic, dogs, and noise that can disturb and displace wildlife. I believe that old trails should be decommissioned to reduce density of trails, especially in deeper areas of the forest that may provide better quality habitats.

Demands for recreation access will likely increase as Corvallis grows. It makes sense to account for parking and road infrastructure to account for that demand.

--
Anna Ramthun

“The last word in ignorance is the man who says of an animal or plant, "What good is it?" If the land mechanism as a whole is good, then every part is good, whether we understand it or not. If the biota, in the course of aeons, has built something we like but do not understand, then who but a fool would discard seemingly useless parts? To keep every cog and wheel is the first precaution of intelligent tinkering.”
— Aldo Leopold, *Round River: From the Journals of Aldo Leopold*

Outlook

LU-26-030 Snack Time Trail Appeal

From Brett Hembrough <bretthembrough@gmail.com>
Date Sun 10/18/2026 9:38 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from bretthembrough@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running, mountain biking and walking with family.
I live within biking distance of a trailhead.

It's one of the best things about Corvallis is the easy local access. I tell all my out of state friends coming to visit how lucky we are and make sure they check them out

Regarding the Snack Time appeal, these are fun trails and allow all rider and hiker levels to access them. Why would you take away something fun that does no harm.

Looking ahead, more trails and more county support to make Benton a mountain biking and hiking destination.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Brett

Sent from my phone

Outlook

LU-26-030 Snack Time Trail Appeal

From Brian Hall <brian.hall@logicatwork.com>
Date Sun 10/18/2026 5:52 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

Some people who received this message don't often get email from brian.hall@logicatwork.com. Learn why this is important

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my view on recreation and trail planning in the McDonald-Dunn Research Forests. Our family of 4 uses the forest for hiking, trail running and mountain biking, and we live within easy biking distance of the Oak Creek trailhead.

Many times per month our family is on these trails enjoying the outdoors, the exercise, the nature.

Regarding the Snack Time appeal, we would like to see both trails sanctioned and maintained.

Looking ahead, we would like to see more trails and connection options, covering green to blue to black biking trails.

Our family strongly supports allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails. We find this "close a trail to open another" to be nonsensical. 3 of our family members are active voters, and we did not help elect the current County commissioners to engage in this odd approach.

Thank you for considering my comments on this application!

Brian Hall

Brian Hall
Founder & CEO
Logic at Work
Corvallis, Oregon USA
Mobile: (+1) 541-602-3822

Outlook

LU-26-030 Snack Time Trail Appeal

From Brian Larson <sierracascadebonsai@gmail.com>
Date Sun 10/18/2026 1:18 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running, mountain biking and hiking with my family and friends. I live within biking distance of a trailhead and often start my rides from home.

Spending time exploring trails with friends and family is an essential part of the healthy lifestyle our family values. From family hikes, to my son's NICA bike team practices, the trails of the MacDonald Dunn forest have great importance in our lives. Having an easily accessible trail system near our home is a big part of the reason why we live in Corvallis.

Regarding the Snack Time appeal, we should not have to sacrifice an existing and cherished historical trail in order to build a new trail that serves other trail users and offers variety and choices. We already lose a significant number of trails due to OSU logging operations on a regular basis. Loss of trails decreases the recreational value of the land to the community. A small number of residents who live near the trailhead believe that adding a trail will cause problems. Is there any actual evidence to support their claims? Should the rest of the community have to lose trails that they value due to their questionable concerns? I believe that these concerns could be addressed in other, more constructive ways.

Looking ahead, I would like to see recreation play a more significant role in the OSU Research forests. By working together with local groups, such as Team Dirt, OSU and the County could improve trail connections, address parking concerns and preserve access to existing trails, while allowing future trail development to make the forest add economic value and quality of life to the community.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Brian Larson

Outlook

LU-26-030 Snack Time Trail Appeal

From Bryan Stempson <stempson@mac.com>
Date Sun 10/18/2026 9:24 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking.
I travel to the area to use these trails.

Looking ahead, more mountain bike trails of all skill levels

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Thanks,
Bryan

Outlook

LU-26-030 Snack Time Trail Appeal

From Chad DeMers <corvallischad@gmail.com>
Date Sun 10/18/2026 4:18 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking.
I live in the Corvallis area and visit regularly.

I've always advocated for more bicycle parks. I've maintained the BMX Track Park from 2012-2016. I've volunteered for trail work with OSU in the Mac forest.

Regarding the Snack Time appeal, properly built trails keep the top soil in place. Trail creep and illegal trails can erode the forest ecosystem. The deer design bad trails and humans follow them. Engineered trails last and protect the flora.

Looking ahead, one way bicycle trails designed for bikes. No horses or off-leash dogs, pedestrians yield to bikes.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Chad DeMers
(You can read my two articles in the Corvallis Advocate by searching my name)

Outlook

LU-26-030 Snack Time Trail Appeal

From Charles Steinmetz <cbsteinmetz1165@gmail.com>
Date Mon 11/9/2026 2:57 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking.
I live within walking distance of a trailhead.

I mountain bike all over Mac Forest. I would love to see more options available. Mac Forest is sure a treasure for Corvallis and continued improvements, such as more trails, would be beneficial for all visitors.

Regarding the Snack Time appeal, i want case number LU-26-030 to be included in the official hearing record. I would like to see both trails available to the public.

Looking ahead, i am happy with the trail implementation. Be sure to include all options (hiking, running, horses and bikes)

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Charles R Steinmetz
Mailing address: 1165 NW Overlook Dr, Corvallis, OR 97330

Outlook

LU-26-030 Snack Time Trail Appeal

From cscotton89@gmail.com <cscotton89@gmail.com>
Date Mon 10/19/2026 12:23 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests. As a Corvallis resident, regular forest user, and volunteer trail builder, I deeply value this landscape. I frequently use the forest for hiking, running, mountain biking, and walking with my family. Having a high-quality trail system so close to town is an invaluable community asset.

Recreation in the Oregon State University research forests has been a documented staple of our community since the 1970s. It serves as a major draw for individuals relocating here for school or work, offering a unique opportunity to connect with nature just moments from the city center.

Regarding case LU-26-030, I urge the Commission to consider the economic and community benefits of supporting recreational trail infrastructure. Corvallis possesses a premier trail system that other municipalities actively invest in to drive recreational tourism. The extended period that the volunteer-built Snack Time project has remained stalled does not reflect the community demand for expanded trail access.

Furthermore, requiring a one-for-one exchange by decommissioning the established Innuendo Trail as a prerequisite for opening Snack Time is counterproductive. This approach relies on an arbitrary tally rather than an assessment of community need. Many existing trails were built because there has been a historical absence of formalized support for the expanded system residents desire.

Looking forward, our trail networks require stable stewardship that is not hindered by the narrow interests of a few adjacent landowners. Strengthening the collaborative relationship between Benton County, the City of Corvallis, and OSU will be a major step toward properly managing this vital backyard resource.

I support allowing Snack Time Trail construction to proceed and request that the requirement to close the Innuendo Trail be removed. Established trails should be evaluated independently on their own merits and sustainability, rather than closed as a condition for new construction.

Thank you for considering my comments on this application.

Sincerely,
Chris Cotton

Outlook

FW: Benton County Board of Commissioners, Oregon "trail stewardship and longterm success in the MacDonald Forest"

From BULDER Rachel <rachel.bulder@bentoncountyor.gov>
Date Wed 10/28/2026 1:03 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

From: Benton County Board of Commissioners, Oregon <noreply_wordpress@bentoncountyor.gov>
Sent: Wednesday, October 28, 2026 1:03 PM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: Benton County Board of Commissioners, Oregon "trail stewardship and longterm success in the MacDonald Forest"

From: Chris Magel <magelc@gmail.com>

Subject: trail stewardship and longterm success in the MacDonald Forest

Message Body:

I am a former resident of Corvallis and a current continual user of the MacDonald Forest managed by Oregon State University and through collaborations with groups like Team Dirt. Although my family and I do not currently live in Corvallis, our dream is to move back and enjoy the beautiful small town and the surrounding environment including the gem that is the trail system within the MacDonald Forest.

Long term success of trail systems like those within "The Mac" require stewardship and collaboration. Although many old trails exist, it's the upkeep of those trails and the creation of new more sustainable trails that really make the system successful in the longterm. Rather than focusing on short term solutions and fixing problems, it would behoove the BOC to work with groups like Team Dirt and other Outdoor advocacy groups both within and external to Corvallis and Oregon State University to make sure that short term fixes and band-aids do not impede or interfere with long term success and management.

it's working toward a cohesive collaborative solution that will be the optimal outcome!

--

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Submitter's IP Address: 161.55.198.90

Outlook

FW: Benton County Board of Commissioners, Oregon "MTB in the Mac/Dunn"

From BULDER Rachel <rachel.bulder@bentoncountyor.gov>
Date Wed 10/28/2026 3:31 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

From: Benton County Board of Commissioners, Oregon <noreply_wordpress@bentoncountyor.gov>
Sent: Wednesday, October 28, 2026 3:08 PM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: Benton County Board of Commissioners, Oregon "MTB in the Mac/Dunn"

From: Chris <orrchrisr@gmail.com>

Subject: MTB in the Mac/Dunn

Message Body:

Hi,

I am writing to support Team Dirt and their trail building efforts in the Mac/Dunn and their effort to finish the new Snack Time trail as well as to keep innuendo open. I have lived and mountain biked in Corvallis for almost 20 years now and Innuendo has been a community favorite for as long as I've lived here. It would be really sad to see that trail close. I really appreciate the access we are allowed to these trails through OSU and Starker forests and the work Team Dirt has done. Thanks for hearing me out and I hope you all have a great day.

Cheers

Chris

--

This e-mail was sent from a contact form on Benton County Board of Commissioners, Oregon (https://boc.bentoncountyor.gov)

Submitter's IP Address: 67.168.197.45

Outlook

LU-26-030 Snack Time Trail Appeal

From Honsinger, Clara Morgan <clara.honsinger@oregonstate.edu>
Date Mon 10/19/2026 4:09 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for trail running, mountain biking and walking with family.
I live within biking distance of a trailhead.

Corvallis has some of the best access to green space and trails of small cities in the PNW. For me, these trails are an escape into the woods at the end of a long day or an adventure with pals on a rainy weekend. I specifically chose to to live in Corvallis for the access to trails.

Regarding the Snack Time appeal, snack Time and Innuendo serve two purposes. Snack Time is intended for pedestrian or uphill traffic, whereas Innuendo is for cycling. It is important to have separate trails for different modes of travel to prevent conflict between users. Relative to the logging operations in the Mac-Dunn, these trails have a tiny impact on forest ecology.

Looking ahead, if car traffic to and from the trailhead is an issue for promoting recreation, then focus should also be moved to supporting alternative access points or modes. For instance, having a shared use path to promote riding a bike to Oak Creek or adding traffic slowing devices to prevent drivers from speeding.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Clara Honsinger

Outlook

LU-26-030 Snack Time Trail Appeal

From Curt Shaw <curt.shaw@natura-global.com>
Date Thu 10/22/2026 7:20 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking.
I live within biking distance of a trailhead.

i enjoy the area and trails

Regarding the Snack Time appeal, i support the new trail while asking the Commission to remove the requirement to close the existing Innuendo Trail as a condition of construction

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

curt shaw

Outlook

Public Testimony re: Application File Number: LU-26-030

From Cyrel Gable <cyrelg@gmail.com>
Date Fri 11/20/2026 5:25 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

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Public Testimony re: Application File Number: LU-26-030 *(Snack Time Trail)*

Submitted via email to: permitcheck@bentoncountyor.gov

Date: 11/20/2026

From: Cyrel Gable
1414 NW Vista Place
Corvallis, OR 97330
cyrelg@gmail.com

I am writing to share my concerns about the appeal of the administrative decision regarding Application File Number: LU-26-030 *(Snack Time Trail).* I urge the planning commission to uphold the right of OSU and Team Dirt to construct the Snack Time trail.

The new trail connector has already been approved as staff determined that it met all applicable criteria. It is less than a mile in length and improves users' trail experience. This small trail will have no impact on congestion in McDonald-Dunn Forest or at the Oak Creek trailhead. It will not impact adjacent properties, the character of the area or the purpose of the zone. The parking area was restricted several years ago and that will not change. No more people will drive down Oak Creek Road due to the construction of this trail than currently.

In fact, as a hiker who uses McDonald-Dunn Forest 2 to 3 times a week throughout the year, I must mention that usage is quite light. I generally encounter fewer than 10 other hikers or bikers on any given day. I am very familiar with the location of the proposed trail as I use Uproute, Extendo and Playtime regularly. I am not at all worried that this small connector trail will increase overall visitation to the Forest or traffic on Oak Creek Drive.

The administrative decision on LU-26-030 is very limited. It does not change the trailhead or the parking area, it does not allow construction of additional trails besides Snack Time, it does not change wildfire risk, nor does it materially affect habitat or wildlife.

I respectfully object to a few neighbors being given the power to restrict the access of the rest of the general public who value the use of McDonald-Dunn Forest. It reminds me of what occasionally happens on a city street when a homeowner puts out bollards or other barriers so no one can park in front of their house. This is not allowed because streets and parking areas are public property and no one homeowner has the right to claim control of a public street. Similarly, I do not think that people who live on Oak Creek Drive have the right to restrict other people's use of the trailhead or trails within OSU's McDonald-Dunn Forest.

Access to McDonald-Dunn Forest is one of the most wonderful aspects of living in Corvallis. The easy proximity of the beauty and restorative power of “forest bathing” enriches my life in many ways. Hiking keeps me healthy physically, socially and even spiritually.

Please ensure that all people who value the appropriate and respectful use of McDonald-Dunn Forest are not restricted from this resource.

Outlook

LU-26-030 Snack Time Trail Appeal

From drew Pfeif <drewpfeiffer99@gmail.com>
Date Fri 10/30/2026 1:27 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running and walking with family.
I live in the Corvallis area and visit regularly.

It's an important part of our community. Getting outside and using trails in nature make for a healthier society.

Regarding the Snack Time appeal, consider keeping as many trails available as possible in these uncertain times.

Looking ahead, designated winter trails, covered with bark chips or gravel

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Outlook

LU-26-030 comments

From Eric Martin <arboretumking@yahoo.com>
Date Mon 10/19/2026 2:39 PM
To Planning Comments <planningcomments@bentoncountyor.gov>; Benton Permit Check <permitcheck@bentoncountyor.gov>

You don't often get email from arboretumking@yahoo.com. Learn why this is important

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Benton County Commissioners,

I am writing regarding LU-26-030, which addresses the approval for construction of the .94 mile trail “Snack Time”, as well as the current condition requiring Innuendo to close before construction can begin.

I have lived in Corvallis since 1981. I have run in Macdonald, Dunn and Starker forests since 1988. I have logged 10’s of 1,000’s of miles in that time.

I am writing in support of construction of the “Snack Time” trail, and in support of responsible trail building in general in the forest. This makes a valuable connection to existing trails and forest roads, and has negligible impact on wildlife, trail head parking/traffic, wildfire concerns, etc. It’s a small connection that just facilitates more area route options.

I am also writing to support removing the condition requiring the Innuendo Trail be closed before Snack Time construction begins. Innuendo has been around for decades. I have a paper copy of the old “Kevin Pogue” trail map that dates to the early 1990's, which is around the time I recall first running the Innuendo trail. The policies regulating trail construction in the Forest Conservation Zone does not speak to where decades-long trails should be destroyed.

Please enable the Snack Time trail to be completed and do not require limited trail construction resources to be dedicated to destroying a trail that has been used for at least 20+ years. That doesn’t make sense.

Appreciatively,

Eric Martin

Outlook

LU-26-030 Snack Time Trail Appeal

From Janet Yousey <janetyousey@gmail.com>
Date Mon 11/9/2026 7:03 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from janetyousey@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running, mountain biking, walking with family and walking and enjoying nature.
I live in the Corvallis area and visit regularly.

The trails are important to me because I love going out and getting fresh air and playing with my friends on the trail. The trails help me get exercise and be healthy and have fun.

Regarding the Snack Time appeal, it’s important that if the locals don’t want to drive super far, they can have a place to go biking and have fun.

Looking ahead, I would love to see more jumps, and bigger jumps. As well as wooden features and big berms.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Fletcher Yousey, age 11
Mailing address: 6620 NW Burgundy Drive

Janet

Outlook

LU-26-030 Snack Time Trail Appeal - Written Testimony

From Gavin Bartell <gavinbartell@hotmail.com>
Date Tue 11/10/2026 11:22 AM
To Planning Comments <planningcomments@bentoncountyor.gov>

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I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

The trails in the McDonald-Dunn Forest are an important part of our community. Decommissioning these trails and preventing new ones from being built will reduce recreational opportunities for people throughout Corvallis.

As an OSU student, I ride these trails on a weekly basis. They provide a great opportunity to get outdoors, stay active, and enjoy the natural environment. If fire danger is truly a significant concern, there are many people, myself included, who would be willing to help reduce fire risk by clearing brush and other forest fuels in exchange for keeping these trails open and officially recognized.

Gavin Bartell
Mailing address: 15208 NE 173rd st Woodinville WA 98072

Outlook

LU-26-030 Snack Time Trail Appeal

From Hailey S <hrsemad@gmail.com>
Date Thu 11/12/2026 9:52 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running, mountain biking and walking with family.
I live in the Corvallis area and visit regularly.

I am a high school rider and part of the local youth mountain biking team (Corvallis Composite), and love to spend time outside. These trails are an amazing opportunity unique to our city and a valuable asset to the quality of living and mental health of the community. The mountain biking team has lots to offer to young kids and teen alike, especially girls. It gives everyone a community where they can feel like they belong. It gets kids outdoors and off their phones, while creating a one of a kind connection to the forest, teaching the younger generation how important it is and how we should value and care for it. This season alone, (July 1st - October 26th) I have spent more than 87 hours biking in the forest with the team, time I honestly would have spent on my phone otherwise. I have made some very close friends and formed close supportive relationships through riding on these trails during practice or on my own for fun. The team goes out of its way to make sure that when we have practice at the Oak Creek trail head we park at the bottom of the road or at the Bald Hill parking lot and bike into the trail head, limiting the amount of congestion we create.

Regarding the Snack Time appeal, both Snack Time and Innuendo serve two different purposes, Snack Time is a green trail, meaning that it is safe and fun for all levels of expertise to ride, and is an important opportunity for beginners to learn and progress their skills. While Innuendo is a black for more seasoned riders whom enjoy a higher level of technicality and want to challenge their trail riding techniques or just want to send it downhill.

Looking ahead, I think it is important for both of these trails to coexist. I think it would provide a fun route all the way from the top of McCulloch peak down through Extendo to the trail head, with the option to add in a spicier trail or to ride a nice easy one. I think all types of recreation would benefit from both trails being open together. And I don't see why a piece of trail that is less than a mile long

will bring a worrying amount of new users to the Oak Creek trail head.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Hailey Semadeni
Mailing address: 1431 NW 15th St Corvallis Oregon

Outlook

LU-26-030 Snack Time Trail Appeal

From Heather Rickenbach <heather.rickenbach@gmail.com>
Date Tue 11/10/2026 12:06 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running, mountain biking, walking with family and horseback riding. I live in the Corvallis area and visit regularly.

I consider this wonderful area my backyard and treat it with respect. I love being in the forest and feel deeply connected to it when in it. The trail system allows me to experience the forest and enjoy it in all the seasons and changes, even the planned logging. I would not be able to connect to it without the trails. I also trail run and race. The trail system allows me to train and run many miles without having to drive long distances to access trails. My sister rides horseback and I trail run with her. I love our trails and the community that supports them.

Regarding the Snack Time appeal, the forest and trail system users are generally highly respectful of the environment. It's rare to find someone abusing them, or creating risk or harm. Maintaining trails and creating new ones helps to keep the forest healthy and safe. We need to maintain all existing trails and create new ones to help keep recreational uses viable and reduce the urge for unlawful trail building and off-trail use. Allowing carve-outs in areas where neighboring properties may disagree with recreational and research uses doesn't support the mission for the forests. The location of both trails in question are not close to private property and would have minimal, if any, impact on private property rights.

Looking ahead, better trail connections, sustainable trail building and maintenance, increased partnerships with the community and user groups, and increased opportunities for the general public to enjoy and love these spaces.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Heather Rickenbach
Mailing address: 1733 College St.

Outlook

LU-26-030 Snack Time Trail Appeal

From John Kinnemann <jhkinnemann@gmail.com>
Date Sun 10/18/2026 9:23 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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As a current resident of Corvallis and a long time user of the Mac forest trails I want to show my support for future trail building and use. I purchased my first mountian bike at Peak Sports and the first place I rode it was the Mac forest. This was in 1988. I rode any trails that were there. Extendo, innuendo, and more. I have continued to ride these trails for more than 30 years. Presently I live close enough to the Mac that I can ride to the Oak Creek gate and then into the Mac forest. An awesome 20 mile round trip. I am reading that in order to finish Snack Time trail we have to close the innuendo trail. Why? That trail has been there as long as I have been riding there. Weather or not it was ever an approved trail or not, it has been there as long and been used for more then 30 years. Seems a little too late and kinda trivial at this point. And as far as the concerns about traffic on the Oak Creek road and police and fire response because of vehicles on the road I don’t see any of those concerns when I ride up there. I never drive there and park, I always ride my bike. That’s my exercise and my form of recreation. To limit my ability to exercise and enjoy the MAC forest because of someone’s trivial concerns is unfair to me and the many other riders that use these trails. Please let’s work together to resolve this issue. Thank you for hearing my concerns. Jack Kinnemann.
Sent from my iPad

Outlook

LU-26-030 Snack Time Trail Appeal

From Jax Penselin <jaxpenselin@gmail.com>
Date Mon 11/9/2026 8:04 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for mountain biking.
I travel to the area to use these trails.

I ride nica in the trail system and it wouldn't be the same without access to these awesome trails. Also I love to build and volunteer for team dirt and like to learn how to build trails properly.

Regarding the Snack Time appeal, these trails would make riding the area more fun, adding connections from trail to trail without using the boring road.

Looking ahead, i would love to see a beginner jump/ flow trail similar to Dude Sweet at Newport. It would be good for all riders making it a much more beloved place for riding

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Jax Penselin
Mailing address: 4510 NW Stone Ridge Ave

Sent from my iPhone

Outlook

LU-26-030 Snack Time Trail Appeal

From Jeff Hatten <jahatten@gmail.com>
Date Wed 10/21/2026 9:45 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I live within walking distance of a McDonald-Dunn trailhead and use the forest almost daily for mountain biking, hiking, and walking with my family and dogs. Beyond physical recreation, I go to the forest to connect with nature and clear my head.

I am writing to support the Snack Time Trail and to ask that you remove the requirement to close the Innuendo Trail before construction resumes.

Community-Wide Benefit: A connected trail system in the Mac-Dunn improves the quality of life for the entire Corvallis community, not just adjacent landowners.

Evaluating Existing Trails: Established trails like Innuendo should be evaluated on their own merits, rather than treated as bargaining chips to be closed whenever a new trail is built.

Future Connectivity: Looking ahead, we need more trail connections, not fewer. I would also love to see adjacent landowners—like the College of Agricultural Sciences, which holds significant forestland abutting College of Forestry land—open their properties to public recreation as well.

Please allow construction on Snack Time Trail to proceed without sacrificing Innuendo Trail. Thank you for considering my comments.

Sincerely,

Jeff Hatten

Outlook

LU-26-030 Snack Time Trail Appeal

From Jennifer Duringer <jduringer@hotmail.com>
Date Mon 10/19/2026 8:20 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running and walking with family.
I travel to the area to use these trails.

They are a key component to my training for trail and ultramarathons.

Regarding the Snack Time appeal, having a variety of trails open spreads users throughout the forest which decreases cumulative impact on any one trail and provides a variety of trail surface/technical specs for users.

Looking ahead, sustainable planning for long-term maintenance of trails in the larger scope of forest management.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Jennifer Duringer

-Jen

Outlook

LU-26-030 Snack Time Trail Appeal

From Jenny Wu <jwu55@comcast.net>
Date Mon 11/9/2026 8:04 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking.
I live within biking distance of a trailhead.

I've ridden or hiked in the forest for over 20 years now. It is both a place of connection and community for me. I ride to clear my head, to engage with friends, to be physically active and to connect with nature. I have watched mountain biking grow in our community, especially among kids and women and this makes me proud to see where the sport and our community is headed.

Regarding the Snack Time appeal, Snack Time creates a full single track climbing or descending experience from the bottom to top of McCulloch peak. Snack Time should give riders a new climbing option and keep people from descending quickly along the gravel roads. Since it is a sanctioned trail, it will be built with standards and grades that should last over the years. I am a proponent of keeping Innuendo as a descending trail that is more advanced and challenging but be adopted such that it's sustainable.

Looking ahead, more trails for me is a priority. More trails connecting different parts of the forest that are sustainable but also cover a wide range of skills so that bikers can grow. Team Dirt in conjunction with OSU have built a lot more trail over the years and I would love to see this relationship continue. Mountain biking offers a healthy alternative to screen time.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their

own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Jennifer Wu
Mailing address: 1325 NW Draper Pl Corvallis, OR 97330

Sent from my iPad

Outlook

LU-26-030 Snack Time Trail Appeal

From Jim Bretl <jimbretl@gmail.com>
Date Mon 10/19/2026 4:36 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, trail running and walking with family.
I live within walking distance of a trailhead.

These trails make my life worth living.

Regarding the Snack Time appeal, i have many fine memories. Innuendo throughout the seasons in the Mac and I share those memories with many young and old. I look forward adding more as Snack Time joins the trail system that makes Corvallis special.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Jim Bretl, PhD

Outlook

comment LU-26-030

From Jim Morrison <jamesamorrison72@gmail.com>
Date Mon 11/16/2026 1:32 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I want this email about my comment to be put in the hearing record for LU-26-030. I have lived on Oak Creek Drive for over 50 years, right after the intersection with Tanager. I feel this road is unsafe to walk from my house because it is so narrow and no shoulder and it is easy for traffic to come up right behind you without warning. And same for bicycles. Changes need to be made to the road with a bike path would really help. Any further recreation or trail development can only make more traffic, and more risk to me without changes. And that is why I don't walk on the road, even though it is in front of my house. It would be obvious I would otherwise walk it because its right at my driveway. It was never like this before recreation development with only a car once in a while. Now I don't walk from my house. Another trail just be more traffic.

Jim Morrison
8431 NW Oak Creek Drive
Corvallis, Oregon 97330

Outlook

LU-26-030 Snack Time Trail Appeal

From John McNair <johnmcnair2@comcast.net>
Date Mon 10/19/2026 3:06 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To whom it may concern: My name is John McNair and live on Lewisburg Ave, near the OSU forest. I have volunteered to help build and maintain OSU forest trails almost 20 years. The OSU Forest Recreation staff have been responsibly building, maintaining and upgrading the trails since I have been working for them. They have done an excellent job.

Please allow Snacktime to be built.

John McNair
1725 NW Lewisburg Ave.
541-745-5402

Outlook

LU-26-030 (Snack Time Trail appeal)

From June Marion <jmarion.ceoas@gmail.com>
Date Mon 10/19/2026 9:57 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,
I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests. I use the forest primarily for mountain biking, and I live within biking distance of a trailhead.

I am part of a women's mountain biking group who ride in the Mac 1-3 days a week throughout the year. This group evolved organically from a small group of young moms who love to ride bikes, and has expanded to include over 60 amazing women in the Corvallis area (a typical ride is usually 10-15 women). For the woman in this group, the trails in the Mac Dunn provided space for recreation, exercise, social connection, and countless other benefits associated with having access to nature close to home. The Mac Dunn trail network is one of the reasons I've continued to choose Corvallis as my home for over 20 years.

This year I also volunteered with the Corvallis NICA team. These trails support positive connections, habits, friendships, and community engagement for our high school and middle school youth. The entire Corvallis community benefits from these offerings to our students because kids with passions and hobbies are more likely to succeed and be good stewards of nature and our city than bored and disgruntled kids with no physical outlets. I recall riding with the team this summer, and the kids were all very frustrated that they had to ride down the road between playtime and extendo because Innuendo is unsacntioned. As coaches we stuck to the rules but didn't have a good explanation for why that section of trail is closed.

Regarding the Snack Time and Innuendo appeals, these trails complete the network from the top of McCullough to the parking area at the end of oak Creek. The best way to protect our forests and ensure appropriate use of our resources is to responsibly support and maintain trails that see heavy use. Having a top to bottom trail network that is sanctioned and supported is good for the forest and the community. Closing legacy trails puts recreationists in conflict with the establishment and creates increased tension and unrest. The Corvallis community loves our natural spaces and wants to be good stewards, but unfounded restrictions in the forest don't promote positive interactions between users and management.

Corvallis has something special in our surrounding forests. From our local trails in the Mac, Dimple Hill and Peavey, to Mary's Peak, Black Rock and Alsea Falls, Corvallis is poised to be an outdoor reaction

hotspot in the Willamette Valley. As a lifelong Oregonian, I believe that promoting engagement with nature and recreation realigns peoples priorities towards protecting the environment, and building stronger communities. Please consider building Snack Time trail AND adopting Innuendo into the well loved network of sanctioned and maintained trials that make Corvallis such an amazing place to live!

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

June R Marion

Outlook

LU-26-030 (Snack Time Trail appeal)

From Katie Moriarty <ktmoriarty22@gmail.com>
Date Sun 10/18/2026 7:51 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, picnics with friends, trail running, mountain biking and walking with family including elderly neighbors.

I live within biking distance of a trailhead.

Our family goes into the MacDunn to recreate at least 3 times a week, and often is our weekend source of entertainment and solice. Our young daughter just started mountain biking. The forest and neighboring trails are gems that we should support, keep, maintain, and grow.

Regarding the Snack Time appeal, these areas are part of our community, including long endurance races with tourists and locals. These trails are part of our legacy as a multiuse working forest system, focused on the community, the opportunities, the wildlife, and ecosystem. For an educated and/or curious group of users, I advocate for more trails, better access, better signage (which has been happening) and more capacity - not less.

Here, it feels like a few people are standing up for their own desires, but that challenges the endless opportunities for broader communities, expansion... and joy. Mountain biking is a skill based, endurance sport that increases commerce and allows multiple types of people to get outside. I've been riding for over 20 years and highly support existing and new trails.

Looking ahead, in the future, I would hope to have more connections with the Green belt and Starker lands and at the ends of some of the road networks south of the forest. Connectivity, opportunity, integration with OSU students to build, design and integrate space based learning signage would all be fantastic.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Katie

Katie Moriarty, PhD, Certified Wildlife Biologist®

ktmoriarty22@gmail.com

“Never interrupt someone doing what you said couldn’t be done.” - Amelia Earhart

Outlook

LU-26-030 Snack Time Trail Appeal

From Ken Ward <kjward111@gmail.com>
Date Mon 11/2/2026 11:42 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for trail running. I live in the Corvallis area and visit regularly.

I use these the McDonald Forest trails about 100 times per year, and have for the past 25 years. This treasure has been used frequently to attract people to the Corvallis area promoting tourism and community fitness. Please don't let a few people that live on public roads control access to this community resource. Mental health and fitness are critical to our community.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Outlook

LU-26-030 Snack Time Trail Appeal

From Kevin English <kevinrenglish@icloud.com>
Date Mon 10/19/2026 10:21 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, mountain biking and walking with family.
I live within biking distance of a trailhead.

I went to college here decades ago and during that time of my life I fell in love with the local forests. When I retired, I had the choice of moving anywhere in the world and chose to return to Corvallis. It was the access to the forest that became one of the most important factors in my decision. I ride or hike here nearly every day.

Regarding the Snack Time appeal, the idea that a handful of residents could dictate or change how the majority of people use the forest is a real head scratcher to me. Just because one has the means and is able to live slightly closer to the trailheads does not give them authority over how the forest is managed. This is not a question about sustainable forest management or best practices. This is about the selfishness of a few residents who think they have the right to control policy. There is no clear logical argument that this addition would directly impact the residents. Whether or not the trail is completed does not change the number of visitors. The Oak Creek access has limited parking and the completion of the Snack Time trail has no influence on that. Using myself as just one data point, I do and will continue to ride my bike in all of the areas available without adding to the parking needs. I am sure I am not alone, and would argue that most cycling access is done without a car because of limited parking.

Looking ahead, i would like to see more trails for all uses!

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Kevin English

Outlook

LU-26-030 Snack Time Trail Appeal

From Kyle Mathenia <kylemathenia@gmail.com>
Date Sat 10/17/2026 11:42 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for mountain biking.
I live within biking distance of a trailhead.

These trails are meaningful to me because they are the peak of outdoor recreation in Corvallis. Innuendo specifically is my favorite trail. It is literally life changing to have interesting and technical mountain bike trails very close to town - can go before work. Mountain biking is one of the key aspects that make us want to live in Corvallis.

Regarding the Snack Time appeal, innuendo is my favorite trail. At the same time, there should be more trails, specifically some providing a more complete ride to the bottom. I am not compelled by the appeal concerns at all and find them to be preferences of a few in the vast minority.

Looking ahead, I would like to see more challenging and technical mountain biking trails generally. Hiking is abundant around Corvallis. Technical mountain biking trails that are even mildly challenging are scarce. Please let people enjoy the outdoors with mountain biking.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Kyle Mathenia

Outlook

LU-26-030 Snack Time Trail

From Levi Kellogg <kellogglevi@gmail.com>
Date Wed 11/4/2026 7:37 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

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Benton County Planning Commission,

I am writing in support of the Snack Time Trail and further trail development within the McDonald-Dunn Research Forest. The community-wide benefits associated with outdoor recreation cannot be understated, and these benefits are supported by an abundance of hi-quality research. It is disappointing that the appellants have relied solely on anecdotes, theoretical concerns, and misrepresentation of zoning ordinances in their attempt to obstruct trail building within the McDonald-Dunn Forest. My goal is to provide an overview of the scientific literature as it addresses community health and trail usage.

The best health interventions have no cost and provide widespread improvements in public well-being. Trail usage within the McDonald-Dunn Forest fulfills this criteria. Benton County residents, particularly members of Team Dirt, have volunteered their time to build and maintain trails, and OSU has graciously offered the use of their land to our community. Eigenschenk et al. investigated the impact of outdoor physical activity on participants' well-being. These scientists found that outdoor recreation was associated with improved fitness and cardiovascular health. This was supported by findings of reduced blood pressure, rates of obesity, and resting heart rate among participants. Outdoor recreation is also associated with a reduced risk of many diseases, including cancer, stroke, and diabetes.1

Outdoor recreation also has a profound impact on mental health, with study participants reporting improvements in overall well-being, quality of life, happiness, and life satisfaction. These findings were driven by positive effects for mood, resilience, and feelings of revitalization, with decreases in negative affective states like stress, depression, anxiety, confusion, anger, and loneliness. Additional cognitive impacts include improved motor skills, emotional intelligence, attention and memory span, and problem-solving skills.1

As a substitute for screen time or time spent using electronics, outdoor recreation has immense health benefits. Increases in screen time have been associated with greater rates of obesity, depression, poor diet, reduced sleep, and cognitive impairment.2 3 4

Finally, the potential impact on Benton County's workforce needs to be addressed. Opportunities for outdoor recreation serve as a major influence when companies choose to relocate to a region. Outdoor recreation also plays an important role in migration patterns.5 6 These facts are important to consider, especially when one reflects on the current budget shortfall and shrinking tax base impacting Corvallis and many other communities in Benton County. Again, building trails serves as a no cost intervention that can be used to attract new businesses and population to the region.

In closing, I hope that Benton County leaders will recognize the value outdoor recreation has in our community. The health and well-being of our community depend on continued trail development within the McDonald-Dunn Research Forest, and Oregon State University deserves sovereignty over their land. Continued obstruction to recreation can only be interpreted as willful negligence on behalf of the Board of Commissioners towards the communities they were elected to serve.

Respectfully,
Levi Kellogg, MD

Eigenschenk, B., Thomann, A., McClure, M., Davies, L., Gregory, M., Dettweiler, U., & Inglés, E. (2019). Benefits of outdoor sports for society. A systematic literature review and reflections on evidence. International Journal of Environmental Research and Public Health, 16(6). https://doi.org/10.3390/ijerph16060937

Stiglic, N., & Viner, R. M. (2019). Effects of screentime on the health and well-being of children and adolescents: A systematic review of reviews. BMJ Open, 9(1). https://doi.org/10.1136/bmjopen-2018-023191

He, X., Pan, B., Ma, N., Li, D., Kong, W., Liu, Q., Liu, X., Wang, X., Deng, X., & Yang, K. (2025). The association of screen time and the risk of sleep outcomes: A systematic review and meta-analysis. Frontiers in Psychiatry, 16. https://doi.org/10.3389/fpsyt.2025.1640263

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Crompton, J. L., Love, L. L., & More, T. A. (1997). An empirical study of the role of recreation, Parks and open space in companies" (re)location decisions. Journal of Park and Recreation Administration, 15(1). https://js.sagamorepub.com/index.php/jpra/article/view/1695

Ulrich-Schad, J. D. (2015). Recreational amenities, rural migration patterns, and the great recession. Population and Environment, 37(2), 157–180. https://doi.org/10.1007/s11111-015-0238-3

Outlook

LU-26-030 Snack Time Trail Appeal

From Ellsworth, Lisa M <Lisa.Ellsworth@oregonstate.edu>
Date Fri 10/30/2026 6:40 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking and mountain biking, and I live within biking distance of a trailhead.

I'm also a youth mountain biking coach as well as a OSU scientist. As such, I take both student groups and youth athletes to the forest. The forest is a community resource that fosters education, connection, and well-being of our youth and our community members.

Regarding the Snack Time appeal, building the trails correctly keeps hikers and bikers to sustainably planned trail systems rather than on user-created trails that cause erosion and spread of invasive species. I am a fire scientist, and the spread of invasives is a primary concern for our forest. When trails are developed and created intentionally, there is follow up monitoring and management of invasives. When trails are not organized, people create unauthorized trails that fragment the forest and spread invasive species. As these invasives are more flammable than native vegetation, it is critical that trails are well-constructed and have measures in place to manage invasives and mitigate erosion.

Looking ahead, i would like to see OSU manage the forest for multiple uses, education, recreation, and sustainable harvest, and to reject the repeated roadblocks placed by two privileged and problematic neighbors. OSU lands are state resources and should be enjoyed by everyone.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Lisa M Ellsworth, Ph.D.
Associate Professor of Wildfire Science

Department of Fisheries, Wildlife, and Conservation Sciences
Oregon State University

https://fw.oregonstate.edu/users/lisa-ellsworth
www.sagestep.org

Outlook

LU-26-030

From M Corvi <margaret.corvi@protonmail.com>
Date Sat 10/31/2026 8:05 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.

I use the forest for hiking and walking with family.
I live in the Corvallis area and visit regularly.

I use trails daily for dog walks and on holidays and birthdays, or long weekends we often go on longer excursions and check out new trails. I love being in the forest on walks and hikes rain or shine, but stay closer to home for snow :) I use trail maps and signage often!

I support new trails and think established trails should be evaluated on their own merits, including specific safety, ecological, and management considerations and should not call for closure as prerequisite for building new trails.egarding the planning (new and closures). This forest is unique because of the unique uses and this is an asset!

Things that I find helpful: when signs are updated and labeled in addition to pocket maps, having alternative routes helps when there are temporary closures for management. Overall for the forest to to be used locals and visitors both challenging trails and easy trails need to stay open and information provided to those that want to visit. Having different options is what makes a place special and puts it on the map as a destination!

Looking ahead for maintenance something to consider would be, more pull off spots and places for traffic pull off where people can pause (no bench needed) and a little extra trail space for some sections is provided to help with the flow of hikers, walkers, bicyclist and runners!

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed.

Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

-Corvi

Outlook

LU-26-030 Snack Time Trail Appeal

From M. Rust <mcng99@hotmail.com>
Date Tue 10/27/2026 10:57 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, mountain biking and walking with family.
I live in the Corvallis area and visit regularly.

I am grateful that we have such close access to a vast network of hiking and biking trails. It's also great to see families, couples, dog-walkers enjoying the outdoors on any given day.

Regarding the Snack Time appeal, I believe these trails are critical to the area. Those that have worked to build and maintain these trails have the best interest of the community, the forest, and the overall environment in mind. To consider restricting or eliminating such trails because of the opinions of four individuals, is unfair to the many that use such trails on any given day.

Looking ahead, it may benefit the community to incorporate wider access for families for such trails in the future. Trail building and maintenance has involved a small number of mainly mountain bikers. Increasing awareness and involvement from various community groups may help to gain a more collaborative mindset.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Outlook

Support for LU-26-030 – Snack Time Trail Connector (McDonald-Dunn Research Forest)

From Matthew MacClary <macclary@gmail.com>
Date Tue 10/27/2026 10:54 PM
To Planning Comments <planningcomments@bentoncountyor.gov>
Cc SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>

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Dear Benton County Planning Commission,

I am writing in support of the Planning Official's approval of LU-26-030, which modifies the existing recreation development permit to authorize the approximately 0.94-mile Snack Time Trail as an internal connector between Lower Play Time and Uproute in the McDonald-Dunn Research Forest.

This short, purpose-built connector is a better option for forest users, wildlife, water quality, and emergency access than the current alternatives. It replaces reliance on an unapproved, eroding user-created path and reduces the need for hikers, bikers, researchers, and others to travel the gravel road segment that is otherwise required to ascend or descend from higher in the forest.

Key points relevant to the applicable criteria (BCC 53.215 and Forest Conservation zone standards) include:

• Reduced erosion and improved water quality: The formalized alignment avoids continued use of an unsanctioned trail that has developed erosion issues. A properly constructed connector concentrates use on a durable surface, limits soil loss, and protects nearby streams and habitat better than dispersed or eroding paths.

• Benefits for wildlife and habitat: By providing a clear, designated route and allowing decommissioning of the eroded path, the connector reduces off-trail travel and associated disturbance. This is more compatible with the Forest Conservation zone's purpose of protecting forest values while allowing low-impact recreation.

• Improved access for researchers, firefighters, and managers: The trail gives ecologists, forestry researchers, and emergency personnel a direct internal pathway instead of forcing them onto the gravel road. This supports OSU's research mission and can aid fire detection or response without creating new external access points, trailheads, or parking.

• Better experience and lower incremental impact for recreational users: Hikers and mountain bikers gain a logical connector that keeps them on managed trails rather than the road or unauthorized paths. Because it adds no new trailhead or parking, it does not create an undue burden on public

facilities or increase pressure on NW Oak Creek Drive.

• Consistency with existing management: The trail fits within the phased Recreation Development Plan already approved under LU-16-077 and can be closed seasonally or under fire restrictions, consistent with the conditions of approval.

In short, authorizing the Snack Time connector advances the goals of the Forest Conservation zone by improving management of existing recreation demand, reducing environmental impacts from informal trails, and supporting research and emergency access—without expanding overall access or facilities. I respectfully urge the Planning Commission to uphold the Planning Official's approval of LU-26-030.

Thank you for your consideration of this testimony and for your service on the Commission.

Sincerely,

Matt MacClary

418 SW 6th St, Corvallis, OR 97333
macclary@gmail.com
541-968-6528

Outlook

LU-26-030 Snack Time Trail Appeal

From Matthew White <whitematthew2@gmail.com>
Date Mon 10/19/2026 1:05 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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Hello,

I'm a Corvallis native born and raised. I've been lucky enough to grow up here and benefit from the "free" forest and trails in our community.

I STRONGLY believe building Snack Time as well as allowing Innuendo to remain open benefits the entire Community of Corvallis.

I'm often reminded by visitors just how lucky we are to have the trails in the Mac/Dunn forest. So much so we attract tourists to visit Corvallis to Mtb and hike. Plus we have the ever popular C2C trail, Alsea Falls trail system 40 minutes away, and Black Rock trail system 40 minutes away, Fitton Green, Chip Ross Park, Cardwell Hill, Bald Hill, the BMX track in Southtown, Finely Wildlife refuge, and pretty soon the new Pump track and trail system at Bald hill!

All this to say that Corvallis is a hub in the Willamette Valley for all things biking and hiking related.

Now as a parent and as a NICA coach, I've seen significant improvement in new and old trails ever since OSU began trail development in the Mac. After the success with the now "older" trail of No Secret (which has turned into a staple trail in the forest) the OSU partnership has lead to many more trails being built.

These trails are WELL built by an EXPERIENCED group of volunteers. As a part of NICA, my son and I have had the opportunity to help volunteer in the maintenance of old trails, and in helping build new trails. This promotes education, collaboration, and advocacy of responsible trail use.

The partnership with OSU and the Mac/Dunn Forest is a vital piece of what makes this such a wonderful community.

Thank you,
Matthew White

Outlook

LU-26-030 Snack Time Trail Appeal

From Maya Abels <maya.abels@icloud.com>
Date Wed 10/21/2026 6:12 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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The parking lot at Oak Creek Mac Forest has limited parking because a small group of home owners were successful in advocating for less parking. The idea that more trails will cause more traffic is erroneous thinking. These trails already exist. I have been using them for years. If they become official trails they will be maintained. These trails offer many things for many people. Young people engage in maintaining trails- this gives them a better appreciation of nature and taking care of mother earth. Better trail maintenance means that these trails will be safer. I hike in Mac Forest many days each week and I never, never experience the trails with lots of people unless there is an event. The forest is a great resource. We are fortunate that the university offers access for recreation. The forest contributes to our residents being healthy. Let's keep our trails available and allow Snack time to exist. These homeowners are not long time residents of Oak Creek. When they purchased their homes there were more parking places. They use the forest, I often see them enjoying their walks. It is not their private playground. Keep building more trails for everyone!
Maya Abels
Corvallis, OR

Outlook

Re: LU-26-030, input from a Corvallis property owner and community member

From Michael Ruark <mkruark@gmail.com>
Date Sun 11/8/2026 5:23 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>

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It deeply saddens me to hear word that the closure of the extendo trail is being considered. One of the things I value and cherish most about living here is the access to trails throughout the mac forest. My friends and I use these trails all year, including extendo. It would be a great detriment to this community to close such a well loved section of trail. Please do not allow this to come to pass.

I support the development of Snack Time, but please, allow this to be a net positive for Corvallis by keeping Extendo open as well.

Outlook

LU-26-030 Snack Time Trail Appeal

From Mike Barrier <mikebarrier5312@gmail.com>
Date Sun 10/18/2026 8:22 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission, Re: LU-26-030 (Snack Time Trail appeal) I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests. I live in Corvallis I use the forest for hiking, trail running and mountain biking almost daily year round. The forest feeds my soul and adds quality to my life in Corvallis.

I moved to Corvallis from Wisconsin after retiring, specifically for the hiking and biking opportunities, and infrastructure for cycling. I wanted to live in an area with natural beauty that supported a “silent sport” community and silent sport activities.

Regarding the Snack Time appeal, building more trails provides more opportunities to explore the area and allow more people to enjoy this awesome resource. Looking ahead, I would like to see responsible trail expansion throughout the forest. This would allow more people opportunities to explore and enjoy the forest and make Corvallis a destination for silent sports enthusiasts. Expansion would also provide a substantial economic impact to Corvallis because a lot of people come from nearby cities to enjoy the forest.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails. Especially when created responsibly! Thank you for considering my comments on this application.

James Wright
Community Development
Benton County
4500 SW Research Way
Corvallis, OR 97333

Emailed to:
PlanningComments@BentonCountyor.gov

Date Submitted: November 23, 2026

RE: Testimony to the Planning Commission on Appeal of Planning Official's Decision of OSU's Application for a Modification of Conditional Use Permit; Reference File # LU-26-030

Submitted by:

Dan Rosenberg and Jennifer Gervais
8500 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Steve and Terri Cook
8600 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Jim Morrison
8431 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Doug and Lorraine Witzke
8553 NW Oak Creek Drive
Corvallis, OR 97330

Please enter this testimony and appended exhibits to the hearing record regarding LU-26-030, OSU's request for a modification to their Conditional Use Permit (LU-16-077) to allow a new connector trail, "Snack Time", that was built in violation of their existing conditional use permit, LU-16-077. We respectfully request that the Planning Commission deny OSU's application for a modification to their 2017 Conditional Use Permit (LU-16-077) until a new application is submitted that addresses the relevant codes and provides for conditions of approval that mitigate safety concerns.

Thank you for the opportunity to comment on OSU Research Forest's application (hereafter Application) to the County for a modification to their 2017 Conditional Use Permit. We are the residents along upper Oak Creek Drive, between Tanager Drive and the end of the county road at the McDonald Forest access gate. This is the primary access point for the mountain biking trails on OSU's Research Forest. First, we applaud OSU Research Forests for providing recreational opportunities for the citizens of Benton County. We recognize that OSU is attempting to manage very high and increasing levels of recreational use on their forest lands, and wishes to expand those recreational opportunities. With that, however, comes a responsibility to address safety to neighbors from increased traffic often on roadways never designed for such heavy use (Exhibit 1, Report A). These impacts are addressed and mitigated through the Conditional Use Permit (CUP) process governed by Benton County codes.

In April 2025, neighbors learned of the construction of the new trail, Snack Time. One of us reached out to the then interim director of the OSU Forest Research to discuss the construction of the trail in violation of their 2017 CUP (hereafter, 2017 CUP) and seek solutions. The then interim director responded that they do not need to go through the CUP process. Neighbors filed a complaint with the planning staff in May 2025 and in September 2025 planning staff demanded OSU remove the trail or submit an application for a modification to their 2017 CUP (Exhibit 2). Over a year after neighbors filed the complaint, neighbors received a Notice of an Administrative Review of OSU's application for a modification to their 2017 CUP, which gave neighbors less than 7 days to prepare comments and failed to provide for a hearing in front of the Planning Commission. Administrative Review allows the Planning Official to make a decision regarding a CUP application when little discretion is required (BCC 53.150). That is clearly not the case with the OSU Application because the trail was built in clear violation of their 2017 CUP, it is absolutely not a "realignment" (as the Applicant and the planning staff argue), adds an important connector trail to a large trail system, and the access road to this trail is well known to the county to be a safety risk to the many non-vehicular users, particularly its residents.

The planning staff's decision to allow an administrative review was in spite of clear language in their own letter to OSU (Exhibit 2) that OSU needed to apply for a modification to their 2017 CUP and that it is reviewed through a public process (the planning commission hearings): " Per BCC 53.305 and 60.215, such modifications require prior review and approval through a public process to ensure consistency with the County's Comprehensive Plan, forest resource protections, and public interest" (Exhibit 2). In our previous comments (written testimony dated

August 14, 2026) and in our Appeal (dated October 1, 2026), we argued that the Application is required to be processed as a new conditional use permit per BCC 53.225 and that the decision must be made by the Planning Commission, not the Planning Official, governed by 51.605(1)(b) and 60.215, which requires a public hearing. For these reasons alone the Planning Official exceeded her jurisdiction by approving the Application as an administrative action rather than approval through the planning commission's process involving a public hearing.

The planning staff's review of relevant criteria that resulted in approval of the modification were premised on 1) planning staff met the criteria of "little discretion" for making an Administrate Review, 2) allowing a modification to a conditional use permit without a valid change in circumstances; 3) considering Snack time to be simply a "realignment" of the trail "Innuendo", an unauthorized trail, and 4) Benton County code criteria would be met because of Conditions of Approval in the 2017 CUP.

Below, we address the relevant county codes governing modifications to an existing conditional use permit and impacts to us as residents living along upper Oak Creek Drive, the access point to most of the mountain bike trails including Snack Time. We demonstrate how the planning staff erred in their review of relevant criteria. We provide evidence on why denial is appropriate until a new Conditional Use Application is submitted with Conditions of Approval that will mitigate the current and expected increase in road safety issues on upper Oak Creek Drive.

I. Background

Prior to the 2017 CUP, neighbors discussed road safety issues with both OSU and the County. It wasn't until the Planning Commission and Benton County Public Works agreed with our arguments during the 2017 CUP hearings regarding road safety that OSU and the County began to work on solutions. Since then, all of our discussions with both OSU and the County have been about road and fire safety issues, not about the number or location of trails. The Conditions of Approval in the 2017 CUP that we participated on were all about managing demand and enforcement for the sole purpose of keeping traffic to safer levels and speeds for non-vehicular users and the road unblocked by illegally parked cars. Since the 2017 CUP, we have worked with the County on further safety modifications (such as the 20 mph and Hill advisory signs), commissioned an engineer specializing in *Edge Lane Roads* (www.edgelaneroads.com; a likely ideal road design for upper Oak Creek Drive), held several meetings with a County Commissioner and engineers from other cities using this design, as well as meetings with Public Works regarding traffic safety. We went one step further, and offered a potential easement across one of our lands to facilitate parking at the OSU's sheep facility that is accessed by a road section designed for higher traffic loads. We have been dedicated to finding safer solutions to accommodate traffic from recreation users to this otherwise unsafe road segment for non-vehicular users. This has been necessary because recreational traffic has placed an enormous burden on this road segment as recreation exploded with the advent of online trail guides and increasing popularity of mountain biking.

Several of us regularly bicycle commute, and walk the area with our dogs daily. Many bicyclists, walkers, runners, and sometimes horseback riders use this road to access the Forest. The road is unsafe for non-vehicular users because of the traffic burden posed by recreational use on a road never designed for the heavy traffic at peak times among a large number of non-vehicular users that all share the same roadway (Exhibit 1, Report A). Neighbors are the most vulnerable because of our daily use of the road.

II. Rationale for Denial of OSU's Application and Reversal of Planning Staff's Decision.

The Planning Commission should deny the application based on the following findings:

(1) "Realigning" an unauthorized trail does not constitute a valid change in circumstances warranting a modification (BCC 53.225)- and see (3) below;

(2) OSU's application fails to address county codes (BCC 53.215, BCC 60.220(1)(b)) that govern impacts to other properties. Yet OSU itself has acknowledged the magnitude of these impacts to the local community in the past.

(3) The planning staff's decision is based on considering the new trail as a "realignment" of an unauthorized trail that should have been decommissioned earlier based on the goals of the 2017 CUP and can be decommissioned at any time;

(4) The planning staff insufficiently evaluated impacts governed by BCC 53.215 by failing to review relevant material related to road safety on non-vehicular users along upper Oak Creek Drive;

(5) The planning staff failed to evaluate the potential impacts of the Snack Time trail intended as an important connector to mountain bike trails near a favored area by mountain bikers with relevant information including that the access road, upper Oak Creek Drive, is already overburdened and unsafe for non-vehicular users;

(6) In their determination of impacts governed by BCC 53.215, the planning staff's decision is premised on Conditions of Approval in the 2017 CUP that are either no longer honored or valid per OSU's timeline;

(7) The Applicant and planning staff misrepresent fire risk.

(8) The Applicant and the planning staff misrepresented the purpose of the Snack Time trail;

Below, we provide support for each of these reasons to deny OSU's application for a modification to their 2017 CUP and reverse the planning staff's Administrative Review decision. We respectfully request the Planning Commission require the Applicant to submit a new Conditional Use Permit that addresses these concerns. In the event that the Planning Commission approves the applicant's request for a modification to their 2017 CUP, we urge the adoption of

Conditions of Approval included in our testimony, in addition to those planning staff are requiring in their Decision.

(1) No valid change in circumstances warranting a modification (BCC 53.225)

The Applicant has not demonstrated a change in circumstances that warrants a modification (53.225). To approve this application, the planning staff would need to violate BCC 53.225 because OSU fails to provide justification for changing the permit and fails to identify any changing circumstances. The code is clear: "Such application shall be processed as a new request for a conditional use permit. [ORD 26; ORD 90-0069]". The Applicant and the planning staff use the realignment of an unauthorized trail ("Innuendo"; Application, and Notice of Planning Commission Decision for 2017 CUP, p. 17) as justification for a "change in circumstances"- it is not. OSU can decommission any trail at any time (as intended in the 2017 CUP, p. 1). However, unauthorized trails cannot be improved nor "realigned" without a conditional use permit allowing this change at the time it is conducted. Doing so is not only a violation with the 2017 CUP, as the planning staff made clear to OSU (Exhibit 2), but provides an incentive for further building of trails via trespass which is already rampant and uncontrolled at OSU's McDonald Forest (Exhibit 3) and sets a dangerous precedent substituting unauthorized infrastructure for infrastructure that is permitted.

(2) OSU's Application fails to address BCC 53.215 and BCC 60.220(1)(b) on neighboring properties

BCC 53.215(1-3) is meant to refer to the impacts of ancillary uses on surrounding properties, not on the lands on which those uses are occurring. OSU fails to note that there are, in fact, dozens of houses surrounding the forest, and that the closest access road for Snack Time runs through a residential neighborhood whose road has known safety concerns (see *Section II. 4* on road safety; Report A). Despite this critical shortcoming, planning staff deemed this application complete. It is not.

(3) Planning staff's decision to approve the application is based on considering the new trail as a "realignment" of an existing unauthorized trail

The Application states that the Snack Time trail replaces an older and eroded unauthorized trail. OSU can decommission a trail on their property at any time and for any reason. Because the 2017 CUP was approved for a period of 5 years to complete projects that were approved by the CUP, any additional trails without a new approved CUP is a violation (Exhibit 2). One of the goals of the 2017 CUP (Conditions of Approval No. 2) was to decommission unauthorized trails. All of the planning staff's findings related to the Decision were conditioned on the decommission of the unauthorized trail Innuendo, discussed as a positive benefit that allows considering the Snack Time trail as simply a "realignment". The planning staff erred by accepting the Applicant's "realignment" argument to justify their approval of the Application. The planning staff should have ignored any statements of a realignment or benefits of removing

the unauthorized trail. The planning staff recognized this in their warning letter to OSU in September 2025 (Exhibit 2). However, this was ignored in their Decision, and stated "…mapped alignment and replacement of an eroded trail are the only development before the County" (Benton County Administrative Decision for LU-26-030). Furthermore, there is not only no justification for approving a new trail as a realignment of an otherwise unauthorized trail, allowing such replacements sets a dangerous precedent substituting unauthorized infrastructure for infrastructure that is permitted. This precedent could have ramifications far beyond trail building.

(4) The planning staff failed to review relevant materials related to road safety in evaluating impacts governed by BCC 53.215

The planning staff in their Administrative Decision ("Planning Official Administrative Decision and Findings; hereafter "Staff Report") improperly evaluated criteria listed in BCC 53.215(1 and 2) by their failure to review relevant materials related to road safety to residents and other non-vehicular users on upper Oak Creek Drive. OSU in their Application simply ignored impacts governed by 53.215 to neighboring properties.

Specifically, the planning staff in their Staff Report failed to acknowledge the existence of documents and discussions the County has conducted or participated in regarding safety concerns and recommendations for changes to upper Oak Creek Drive. The Staff Report does not include any communication with Benton County Public Works, which has been trying to find solutions to road safety and conducted their own analyses and recommendations for improving safety to non-vehicular users on upper Oak Creek Drive. OSU's Application even ignores its own communication with both the County and the neighbors regarding the unsafe road conditions.

Benton County recognized that upper Oak Creek Drive was never designed for traffic volume and speeds alongside a large number of non-vehicular users that recreation has brought. Public Works conducted a speed investigation study in 2017 and later prepared a report "Traffic Calming Measures for NW Oak Creek Drive" (Report A) and stated *"However, at the intersection with NW Cardwell Hill Dr. Milepost 1.918(Figure 2,) the NW Oak Creek Dr. bike lane ends. Oak Creek Dr. narrows between Cardwell Hill and the Trailhead forcing bicycles and vehicles to share the road. The roadway continues up to the Trailhead (MP 3.044, Figure 2) without a bike lane. As a result, pedestrian, bicycle, and motorized vehicle comfortable driving and ease of use issues must be addressed. Implementation of traffic calming measures on NW Oak Creek Dr. is proposed to address these Issues."* The only changes since these statements were made are the addition of several advisory signs to reduce speed (20 mph) and that views are blocked by a hill (25 mph). The recommendations for investigating the potential to add a shoulder were later determined to not be feasible on this roadway (Public Works at neighbor meeting).

Neighbors met, via Zoom, with Ms. Laurel Byer, County Engineer, to find solutions. Neighbors contracted with an engineer specializing in edge lane road treatments (www.edgelaneroads.com), a design that Ms. Byer thought may be a good solution for the narrow, no-shoulder upper Oak Creek Drive and heavy use by pedestrians, runners, and cyclists. Benton County Commissioner Pat Malone, a road engineer from Port Townsend, where edge lane roads are often used with great success in situations like upper Oak Creek Drive, and one of the neighbors discussed edge lane roads. Commissioner Malone was convinced it was a good solution and invited Ms. Byer to a Commissioner Board meeting to discuss the design for upper Oak Creek Drive. Ms. Byer agreed it was a potential solution for the upper Oak Creek situation, but wasn't ready to initiate the project. OSU itself recognized the unsafe conditions for non-vehicular users when providing rationale for why their adjacent sheep facility property would not work for parking: "*Additionally, people would then need to travel to Oak Creek Drive, which does not have an adequate shoulder or bike lane to facilitate safe non-vehicular traffic*." (OSU testimony, Final Written Argument CUP 2017, p.3, dated August 28, 2017).

None of these reports, communications, or any discussion between Benton County Development Department, OSU, or Public Works were included in the Staff Report nor in the OSU Application despite their being aware of these documents.

(5) The planning staff failed to evaluate the impacts governed by BCC 53.215 of an additional connector trail with relevant information.

The planning staff concluded that the record does not establish a measurable increase in visitation caused by the connector. That statement misses the fact, as the planning staff stated in their Staff Report, *"The applicant bears the burden of demonstrating compliance."* First, there can be no record of measurable impacts because trail work was appropriately halted when the planning staff sent OSU the letter informing them of the CUP violation (Exhibit 2). Second, measurement of the impact to traffic and safety concerns would require careful monitoring that realistically will not be able to separate demand and safety. What is in the record is the already unsafe road conditions for pedestrians, cyclists, and other non-vehicular users on upper Oak Creek Drive such that any increase is significant, especially from a new connector trail that will link highly preferred mountain bike trails in the McCulloch Peak area (Application). Until there are changes to the road design, any increase in vehicular traffic is significant on this already unsafe road that was never designed for such use (Report A).

OSU and the planning staff failed to bring in the existing record regarding traffic and road safety to non-vehicular users. The record includes the sources listed above in *Section* (*II 4*). There is a long and exhaustive record addressing safety concerns along upper Oak Creek Drive. None of these materials were included in OSU's or the planning staff's assessment of impacts that are governed by BCC 53.215.

(6) The planning staff's decision is premised on Conditions of Approval for which OSU has already proven to be noncompliant or are no longer operative

The planning staff's determination of the Applicant's satisfaction of BCC 53.215(1 and 2) were premised on OSU continuing its commitments stated in the 2017 CUP. Regarding BCC 53.215(1-2), the planning staff concluded the Applicant met BCC 53.215(1 and 2) but subject to Conditions 2, 3, and 4 (among others) of the 2017 CUP. These conditions included that 1) no further projects would be conducted without a new or modified conditional use permit; and (2) develop a strategy of enforcement that included the Benton County Sheriff's Department (Condition 4*a*). OSU failed to honor the requirement to apply for a new CUP before trail construction, even after a warning from the planning staff in 2020 (Exhibit 4). Although enforcement through Benton County Sheriff's Department was very effective deterrence when it was carried out, OSU's strategy only ensured it would continue through 2018 (Exhibit 5). This is in spite of the fact that it was a key element of the Conditions of Approval in the 2017 CUP. Regardless of the current state of surveillance by the Sheriff's Department (evidence suggests it is largely absent without phone calls from neighbors), Condition 4*a* of the 2017 CUP cannot be used to satisfy BCC 53.215(1) because it is no longer operative. In addition, OSU never posted signs with contact information to report illegally parked cars and other safety hazards (Condition *3*(*e*)), and have failed to maintaining broken or missing bollards that are used to block illegal parking along the uppermost section of Oak Creek Drive (Condition *4*(*b*)(*i*)). Even ignoring these last two failures to comply with the 2017 CUP for the purpose of simplifying our argument, the 2017 Conditions of Approval cannot be used to satisfy BCC 53.215. The planning staff's statement *"Applicable traffic, parking, signage, management, and safety obligations in LU-16-77 remain enforceable"* as a condition satisfying BCC 53.215 is in error (Benton County 2026 Staff Report, p. 4-5) and negates their determination that BCC 53.215 is satisfied**.**

(7) OSU's Application Misrepresents Fire Risk

The planning staff in their Administrative Decision, improperly evaluated BCC 60.220(1)(b) without relevant information including the concern of blocked roadways for emergency vehicles because illegal parking is no longer enforced under 2017 CUP Condition 4*(a)* as stated above. Neighbors are greatly concerned with the increased fire risk brought on by unregulated, unenforced parking. Several of us have confronted smokers in the parking lot and within the forest boundary during periods of high fire danger. The more vehicles coming up the road, the greater the risks especially when they park along vegetated sections of the road, which happens frequently (Exhibits 1, 6, 7) and can only increase with greater demand from additional trails.

This is not just a safety concern for local residents: forest users may be miles from the trailhead and on foot, with limited options to get to safety. If people do reach their cars in case of a wildfire requiring evacuation, their vehicles will add to the burden of traffic from existing households trying to get out of harm's way. There are roughly five hundred households on Oak Creek Drive, Cardwell Hill, and associated side roads. There is one public access road out. All

other egress routes, even the designated evacuation routes, are blocked by locked gates. Ideally, appropriate personnel with keys will arrive in time to unlock those gates. However, wildfire conditions are rarely ideal. Closures of parking in recreation areas in Eugene provide an example of precautions taken nearby (https://www.klcc.org/disasters-accidents/2026-06-02/citing-fire-danger-eugene-closes-parking-lot-at-skinner-butte-summit-for-the-summer).

Wildfire is an increasing threat to health, safety, and property. Further, the two major causes of wildfire are people and lightning; lightning remains relatively rare in western Oregon. Both the recreational community and homeowners near or in the Wildland Urban Interface need to share responsibility for reducing the risks. A fire starting from a cigarette tossed into the dry grass at the parking lot will reach our homes within minutes.

(8) OSU misinforms the purpose of the Snack Time trail

The Application states that the trail system, including Snack Time, were built to increase access for fire control, for forestry operations, and for students on class trips and therefore argue that OSU does not need to comply with the 2017 CUP to build additional trails.

The evidence is strongly contrary to OSU's claims. Snack Time was designed and built by the mountain bike club Team Dirt (https://www.teamdirt.org/bylaws; Exhibit 8). The trail itself consists of multiple jumps constructed with soil and lumber, often 2-3 jumps in a row, with an approximate height of two feet (Exhibit 9; personal observations by neighbors). Snack Time was designed as a mountain bike trail by Team Dirt, not by design standards for students with potential mobility issues, nor firefighters accessing fire. Furthermore, 1) OSU's Dunn Forest to the north has only one authorized trail, Scout Trail (a decommissioned road of less than 1 mile) and yet has a similar fire risk as the adjacent McDonald Forest; 2) adjacent Starker Forests, a privately owned company, has reluctantly allowed Team Dirt to build trails on their property after pressure from illegal trail building, with no intent on access by those fighting fires nor for their own forestry operations (https://starkerforests.com/news/starker-forests-taking-measures-to-stop-unauthorized-trail-building-and-use/ ; accessed 8/12/2026; Exhibit 10); and 3) OSU in their 2017 CUP application only spoke to the trails' role as recreation. OSU agreed to a conditional use permit in 2017, demonstrating that OSU also sees recreation as an ancillary use subject to the conditional use process.

As OSU made clear in their Application, they intend on bypassing the conditional use process for future trails, of which many are planned starting 2027 (Exhibit 11). They are attempting to use fire prevention and forestry operations as a cover for refusing to hold to county and state land-use codes governing recreation development, thereby removing public input in the decision process of mitigating impacts to those outside of their property.

III. Neighbors Assessment of Impacts Governed by BCC 53.215 and BCC 60.220(1)(b)

The foregoing material provides strong evidence that the planning staff erred in their approval of the Application and the Applicant failed to even address impacts governed by BCC 53.215 on

neighboring properties and its residents. To be compliant with BCC 53.230 and BCC 53.225, OSU must submit a new conditional use permit. Furthermore, the planning staff failed to include relevant evidence from known documents and communication regarding safety issues along upper Oak Creek Road during their evaluation of BCC 53.215(1 and 2). Lastly, the planning staff erringly assumed the Conditions of Approval (4*a*) for enforcement by the Benton County Sheriff's Department was still operative when in fact OSU's enforcement plan (Exhibit 5) was only operative through 2018. Enforcement and surveillance by the Sheriff's Department was a critical component in the early success of the 2017 CUP in addressing road safety issues related to demand. The planning staff's determination that BCC 53.215(1 and 2) was satisfied because of the Conditions of Approval in the 2017 CUP was in error.

Below, we summarize the evidence and refer to the foregoing Sections on why BCC 53.215 and BCC 60.220(1)(b) are not satisfied by the application even with the Conditions of Approval the planning staff is requiring.

BCC 53.215(1)

The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

Because of the extraordinarily high recreational use of Oak Creek access gate to McDonald Forest and the fact that nearly all of the traffic on this section of Oak Creek Drive (Tanager Rd to access area) is from visitors accessing the Forest, the Application fails to meet BCC 53.215(1). Traffic, in terms of both volume and speed, is at unsafe levels and in direct conflict with the otherwise rural character of the area, placing undue burden on both the County and residents. This continues to change the character of the area from what was once a family-friendly neighborhood with frequent pedestrian use of upper Oak Creek Dr. to one that is unsafe to non-vehicular users because of greatly increased traffic volume and excessive speeds to McDonald Forest that the yellow advisory signs (20 mph) fail to manage sufficiently.

As is well known, the road was never designed for the traffic it now carries, and has below-standard curve radii, blind spots, and no shoulder (Exhibits 1,6, and 7; Report A). It is barely wide enough for a standard fog stripe, and the edge of one section, along the Hesthavn property, is eroding away, undercutting the pavement (Exhibit 1). Technically it is a two-lane road, but when two cars are passing each other, cars are parked along and into the road, or a logging truck is present, there is no room for pedestrians on the roadway (neighbors exercising their dogs or just out walking), equestrians, or cyclists (Exhibits 1, 6, and 7; Report A). The traffic load and speeds, coupled with the large number of non-vehicular users, makes this road unsafe for residents and other non-vehicular users without any additional trails. Recently, Deputy Erik Heggelring of the Benton County Sheriff's Department stated "It is an accident waiting to happen" (referring to harm to non-vehicular users) after his ticketing of two illegally parked

vehicles in response to a neighbor's call reporting a vehicle and camper illegally parked into the roadway on upper Oak Creek Drive (presumably in Benton County Sheriff's Department records of calls, May 6, 2026). Adding Snack Time, an important connector trail to the area accessed by upper Oak Creek Drive, has significant impacts in making the already unsafe conditions worse by encouraging more recreation. The existing CUP 2017 Conditions of Approval are unable to mitigate against these additional impacts because of the limits of the current road design and that Condition 4(*a*) is no longer operative (Exhibit 5; see *Section II* (*6*)). That the planning staff used the CUP 2017 Conditions of Approval to justify meeting BCC 53.215(1) demonstrates they failed to base their decision by adequate findings and facts.

Importantly, the Applicant fails to even address BCC 53.215 on neighboring properties.

See *Sections II* (*2, 4, 5,* and *6*) for further evidence in our determination that the Application, along with the Conditions of Approval the planning staff added, fails BCC 53.215(1).

Conclusion: BCC 53.215(1) is not met by the Applicant, and the planning staff's Conditions of Approval are insufficient to mitigate the already unsafe road conditions. The addition of any trail prior to substantive changes to the safety of upper Oak Creek Drive adds substantial impacts to the safety of residents and other non-vehicular users, and the character of the otherwise rural area. The impacts are even greater for the addition of the Snack Time trail because it "…is critical to create connections to the larger trail system…" (Application, p. 3), connecting to other premium mountain bike trails near McCullough Peak.

2. BCC 53.215(2)

The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.

Unregulated demand because of the lack of enforcement results in frequent illegal parking, often flagrantly blocking the roadway (Exhibits 1, 6, and 7). Surveillance and enforcement by the Forest Patrol of the Sheriff's Department during the first year of the 2017 CUP was effective at curbing illegal parking but has not been operative as a Condition of Approval since 2018 (Exhibit 5; see Section *II* (*6*)).

The demand already exceeds available legal parking which was intentionally limited in the 2017 CUP to manage traffic. The demand, however, has resulted in parking without authorization and against posted trespass signs on the neighboring Mid-Willamette Bird Alliance (MWBA) reserve, Hesthavn, along upper Oak Creek Drive (Exhibit 12; See MWBA testimony, dated 16 August 2026.

During peak use, and since enforcement by the Forest Patrol was curtailed as a Condition of Approval at the end of 2018, traffic and illegal parking into the roadway (Exhibits 1, 6, and 7) would interfere with emergency vehicles (see *Section II* (*4*)).

The Applicant fails to address these and all other impacts on neighboring properties.

Conclusion: BCC 53.215(2) is not met by the Applicant, and the planning staff's Conditions of Approval are insufficient to mitigate that upper Oak Creek Dr. was never designed to serve the traffic it now gets because of recreation pressure from McDonald Forest. The addition of any trail prior to substantive changes to the roadway of upper Oak Creek Drive adds an undue burden on the roadway and its safe use by residents and other non-vehicular users, as well as access by emergency vehicles. The impacts are even greater for the addition of Snack Time to the trail system because it "…is critical to create connections to the larger trail system…" (Application, p. 3), connecting to other premium mountain bike trails near McCullough Peak.

BCC 53.215(3)

The proposed use complies with any additional criteria required for the specific use by the Benton County Code.

Because the proposed use does not comply with 53.215 (1 and 2), BCC 53.215(3) is moot. The failure of the Conditions of Approval (53.220) to mitigate against the increase in traffic from an additional connector trail in an already over-burdened roadway further demonstrates non-compliance with BCC 53.215(3) and BCC 60.220.

Conclusion: BCC 53.215(3) is not satisfied because 53.215 (1 and 2) are not met and 53.220 fails to condition 60.220 as the planning staff intended. Further, planning staff noted the decommissioning of the unauthorized trail, Innuendo, contributes to meeting BCC 53.215(3)- it does not, because Snack Time is a new trail, not a "realignment" (*Section II* (*3*)).

BCC 60.220(1)(b)

The use will not significantly increase fire hazard, significantly increase fire-suppression costs, or significantly increase risks to fire-suppression personnel.

Increasing recreational use poses a hazard in terms of potential fire starts despite clear signage that smoking is illegal on forest property. Visitors to the forest also dispose of cigarette butts from their car windows (none of the residents are smokers). Illegal parking can interfere with first responder's access in case of a fire (Exhibits 1, 6, and 7), and can spark a fire. Finally, the evacuation capacity of the Oak Creek valley is already poor even with existing evacuation routes, many of which have locked gates. There are already roughly 500 households to evacuate. Recreational users add a potentially great additional burden to residents trying to leave. This does not mean that recreational access should be eliminated, but the reality of this situation must be acknowledged and addressed by regulating demand (traffic) and illegal parking.

IV. Additional Conditions of Approval

We urge the Planning Commission to deny the Application and require a submission as a new application with Conditions of Approval that do not rely on outdated terms set in the 2017 CUP.

If the Planning Commission fails to deny the Application, we urge the adoption of these additional Conditions of Approval beyond those added by the planning staff in their Staff Report. To correct the shortcomings in the Conditions of Approval in the 2017 CUP, there needs to be clear and objective requirements rather than statements of a "strategy" that are not enforceable:

1. Enforcement: OSU Research Forests shall revise their cooperative agreement with Benton County Sheriff's Department for the Forest Patrol to conduct surveillance and issue citations for illegal parking within the OSU's Oak Creek access area and alongside Oak Creek Drive from Cardwell Hill Drive to the access gate. Surveillance will be conducted no less than 3x per week during peak use. OSU Research Forests shall maintain the Cooperative Agreement for the duration that the Oak Creek access area allows recreation users. (the frequency follows the 2017 CUP Conditions of Approval enforcement plan through 2018).
2. OSU Research Forests will inventory and decommission all unauthorized trails to the extent that they can no longer be used. OSU Research Forests shall conduct surveillance for constructing trails on their property without written permission and inclusion on an approved CUP. OSU shall contact the Sheriff's Office to prosecute for trespass. Clear signage shall be provided at all access gates that constructing trails, including removing vegetation, is not allowed and will be prosecuted as trespass.
3. OSU Research Forest shall maintain and replace bollards set in the 2017 CUP Conditions of Approval 4(*bi*) along Oak Creek Drive and add additional bollards if needed to deter illegal parking.
4. Install a second web-cam on-site to allow full view of parking availability at the Oak Creek access area;
5. OSU Research Forests will submit an application for a new or modification to their Conditional Use Permit for any additional trails prior to construction or trail clearing.

V. List of Appended Exhibits and Reports

1. Photographs of chaotic traffic with non-vehicular users along upper Oak Creek Drive.
2. Letter from planning staff to OSU regarding violation of the CUP.
3. Barometer article on unauthorized trails/vandalism in the OSU Forest and photographs.
4. Email from planning staff to OSU warning not to build new trails without authorization.
5. OSU's 2017 CUP Conditions of Approval enforcement plan/strategy.
6. Photo examples of illegally parked cars that presents safety risks and increases fire risk.
7. Illegal parking has increased along upper Oak Creek Drive since enforcement has diminished.
8. Team Dirt inviting volunteers to build Snack Time.
9. Photographs of Snack Time demonstrating its purpose as a mountain bike trail.
10. Starker Forests website about their trail policy and demonstrating its recreational purpose.
11. OSU Forest trail plan extension to be initiated in 2027.
12. No Parking signs at the Hesthavn Preserve along upper Oak Creek Drive demonstrating impact of demand and failure of visitors to follow restrictions.

Report A: Benton County Public Works Traffic Calming Report, Upper Oak Creek Dr.

Exhibit 1: Upper Oak Creek Drive presents challenging safety issues with increased vehicular traffic on a narrow roadway shared by many pedestrians, runners, and cyclists. Parking alongside the road adds to fire risk to the neighborhood.







Exhibit 2: Letter to OSU informing them of CUP violation and remedies.

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

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Corvallis, OR 97333

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September 18. 2025

This memo addresses a Code Compliance inquiry by Daniel Rosenburg received May 6, 2025 regarding the Oregon State University Research Forest (McDonald-Dunn portion) LU-16-77 "phased plan for recreational development" within a Forest Conservation (FC) Zone. The property owner, Oregon State University allowed non-profit mountain biking trail stewards, Team Dirt, to construct a trail over an existing, unsanctioned trail section that was not included in the approved in the original Conditional Use Permit (CUP). The trail was improved for safety and accessibility but was not reviewed through a public process or authorized via CUP modification as required by Benton Couty Code. The property owner contends that making safety improvements to the informal trail is outright permitted recreational use; not requiring additional permitting.

After researching the original CUP and subsequent correspondence on the property, the following is determined. Yes, trails are outright permitted uses in FC *and* trail systems require land use approval. The unsanctioned or informal trails common in forests are sometimes considered prescriptive easements that do not trigger new development requirements. When a trail or accessway has been used openly, continuously, and adversely (without permission) for at least 10 years. Oregon courts have upheld these rights in cases like *Albany & Eastern Railroad Co. v. Martell*. However, these conditions do not automatically authorize improvements. Development includes physical changes to land, not just use. Benton County require permits for trail improvements, to safely mitigate for erosion, habitat, or public access impacts as well as ensure structural integrity obstacles, bridges, culverts, etc.

Under Benton County Development Code Chapter 53 (Conditional Uses) and Chapter 60 (Forest Conservation Zone), any physical development—including trail construction or improvement—that alters the intensity, location, or public accessibility of a use not previously approved in the CUP is considered a modification of the conditional use. This applies even if the trail follows an informal or previously existing path.

Per BCC 53.305 and 60.215, such modifications require prior review and approval through a public process to ensure consistency with the County's Comprehensive Plan, forest resource protections, and public interest.

The trail was constructed prior to the County receiving any formal inquiry, which precluded both public engagement and the County's opportunity to assess engineering or inspection requirements in advance. Given that the trail is already in place, and consistent with like (prebuilt and no apparent immediate life or safety hazard) land use and/or building compliance violations, the County will not be pursuing removal at this time.

To bring the property into compliance with applicable regulations, the owner(s) are required to submit a CUP Modification Application including a site plan, trail specifications and a narrative explaining the purpose and scope of the trail improvements including how all the 2017 Conditions of Approval were met.

As an alternative, the property owner(s) may choose to close and restore the trail to its native condition.

A CUP Modification process is quasi-judicial. Failure to comply may result in enforcement actions under BCC Chapter 31, including fines or orders to restore the site to its prior condition.

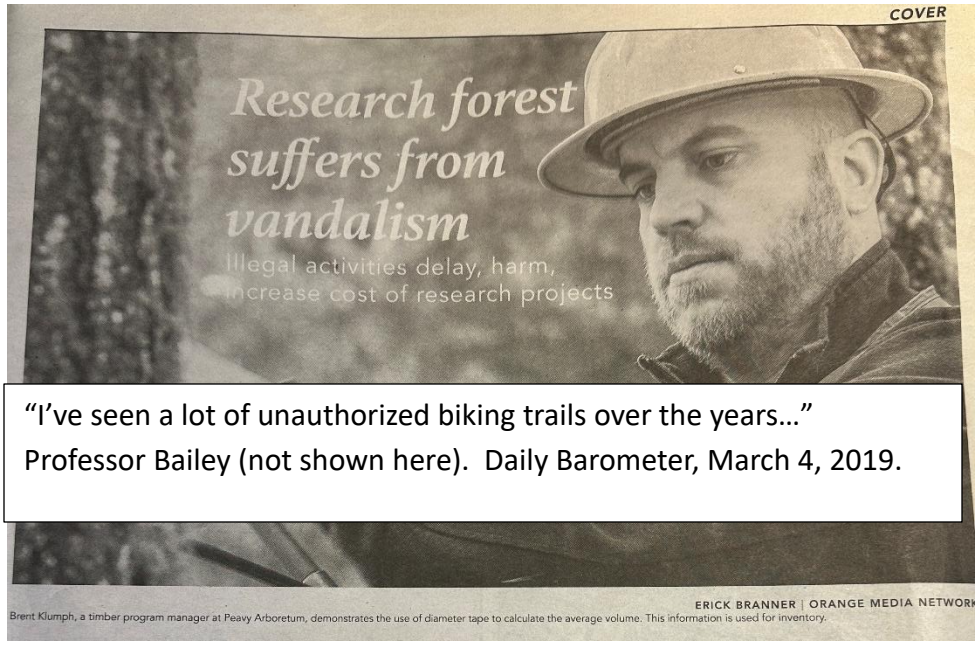
Conclusion: This interpretation affirms that trail development—even over an existing informal path—constitutes a land use action requiring CUP modification in forest zones per the original CUP permit. Benton County encourages voluntary compliance on this matter.

Petra Schuetz
Planning Official

James Wright
Associate Planner

CC: John Swanson- Code Compliance Coordinator

Exhibit 3. Unauthorized trails are rampant in OSU McDonald Forest, well-known on the internet, adding to the demand, traffic, and safety issues. Unauthorized trails outnumber authorized trails. OSU has facilitated their construction by taking no preventative or corrective actions.



"I've seen a lot of unauthorized biking trails over the years…" Professor Bailey (not shown here). Daily Barometer, March 4, 2019.







This (above) trail is at the entrance gate and could have easily have been blocked for use and a warning sign installed to inform violators.

Exhibit 4: Email from County to OSU, 2020, warning of no new trails.

From: VERRET Greg J <Greg.J.VERRET@co.benton.or.us>
Sent: Monday, February 10, 2020 10:36 AM
To: Richardson, Robert <bob.richardson@oregonstate.edu>; Fitzgerald, Stephen Arthur <stephen.fitzgerald@oregonstate.edu>
Cc: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>; TAYLOR Rebecca <Rebecca.Taylor@CO.Benton.OR.US>
Subject: Complaint alleging noncompliance with Conditional Use Permit

Steve and Bob,

With Ryan Brown's recent departure, I am unsure who to communicate with on this issue. Please let me know who the appropriate person is.

Benton County has received the attached complaint from neighbors of the OSU Oak Creek Trailhead. In short, the neighbors assert that OSU has failed to comply with the Conditions of Approval (also attached) of the Conditional Use Permit that authorized recreational improvements at the Oak Creek Trailhead and elsewhere. In addition to overall concern for safety due to increased traffic and usage of the trailhead, they identify three main conditions of approval with which they believe OSU has failed to comply:

A. Not engaging Sheriff's patrol to enforce parking restrictions. [Condition of Approval #4a.]

B. Supporting and/or allowing development of additional trails on OSU property, and trails connecting to trails on Starker Forests property (which do not have conditional use approval). [Condition of Approval #1.] On this point, in a subsequent email, one of the complainants stated that "OSU is currently planning to build a new trail in mid-February (named "Bomb's Away" trail) and Starker Forest continues to expand trail linkages, all in the congested areas that create the traffic problems. These trails are being publicized broadly this month at a public talk at the Corvallis Library (https://oregon2.sierraclub.org/marys-peak)." The only trail development that is authorized is what was included in the conditional use permit. **Any additional trail development should be halted**, including trail connections to other landowners' trails or roads and including trails built by others with OSU's permission. **I request that OSU address this point in a reply to me as soon as possible.**

C. Not implementing a strategy to encourage alternative methods of transporation to trailheads. [Condition of Approval #3f.]

Please respond to me as soon as possible regarding the assertion that trails beyond the Conditional Use approval are being constructed in February. For a more complete discussion of the situation I would like to set up a meeting in the near future, so please let me know who should be involved from OSU and we will coordinate.

Thank you for your cooperative engagement on this issue.

-Greg

Greg Verret, Director

Benton County Community Development Dept

360 SW Avery Ave., Corvallis, OR 97333

541-766-6819 | www.co.benton.or.us/cd

Exhibit 5. OSU Research Forest Enforcement Plan/Strategy (Page 1), 2017 CUP, Conditions of Approval, 4(a)

Oak Creek Education and Enforcement Plan

Approved by Stephen Fitzgerald
January 30, 2018



Developed by: Al Schermerhorn, Stephen Fitzgerald, Stephen Pilkerton, Ryan Brown, Don Rogers, Brent Klumph

Phases

Phase	Duration	Patrollers	Frequency of Visitation
Phase I: Education and Soft Enforcement	3/7/2018-4/15/2018	OSU Research Forests staff and students	➢ 2x/weekend ➢ During regular duties
Phase II: Full Enforcement	4/15/2018-10/15/2018	OSU Research Forests staff and students	➢ 3x/weekend ➢ During regular duties
		Benton County Sheriff's Office	➢ 3x/weekend ➢ 1x/on a weekday ➢ In response to call (when resources are available)
Phase III: Evaluation	10/15/2018-12/31/2018	OSU Research Forests staff and students	➢ To be determined based on compliance
		Benton County Sheriff's Office	➢ To be determined based on compliance ➢ During regular duties

Exhibit 6. Illegal parking at the trailhead and alongside upper Oak Creek Drive increase safety risks to the many pedestrians, runners, cyclists, and occasional horseback riders along this road without any shoulder. Vehicles often park illegally without any regard to fire risks. Illegal parking has increased since OSU curtailed frequent enforcement surveillance by the Forest Patrol of the Benton County Sheriff's office. Demand from out-of-town mountain bicyclists has increased as the McDonald Forest has become well known for numerous trails, including those unauthorized but ignored by OSU. Photos from 2026.







Exhibit 7. Illegal parking alongside Oak Creek Drive has picked up with increasing demand and since OSU no longer supports regular enforcement surveillance by the Forest Patrol of the Benton County Sheriff's office that was intended under the Conditions of Approval 4(*a*) of the 2017 CUP. Cars now regularly ignore warning signs that parking over the fog line will result in tickets or towing. With increasing demand and lack of regular enforcement, vehicles are now parking illegally near bridges, curbs, and in bike lanes. Unless neighbors call dispatch, there is little to no enforcement any longer. Photos from 2026.







Just before bridge and blind curve, Tanager Dr. and upper Oak Creek Dr. Deputy contacted owner to move truck.



In bike lane, at curve and intersection with Cardwell Hill Dr.

Team Dirt's Post

Exhibit 8: Team Dirt announcing new trail, Snack Time.

Team Dirt
February 20 ·

Did someone say NEW TRAIL????

Join us this Saturday, Feb 22, 10am at the Oak Creek Trailhead as we launch into our next new trail in OSU's Mac Forest, Snack Time.

Snack Time will begin near the exit of Play Time, and connect users to Uproute near the top of Extendo. It will be a continuation of the form, fit, and function of Lower Play Time, meaning a multi-use, intermediate trail designed to be a fun descent while also being climbable. We've put a lot of work into the design thus far, and we're ready to start digging!

Sign up to volunteer at: https://volunteer.imba.com/opportunities/CrAiclgxTG

Find the rest of our build (and other) events at: https://teamdirt.org/Community/Calendar

See you on the trails!

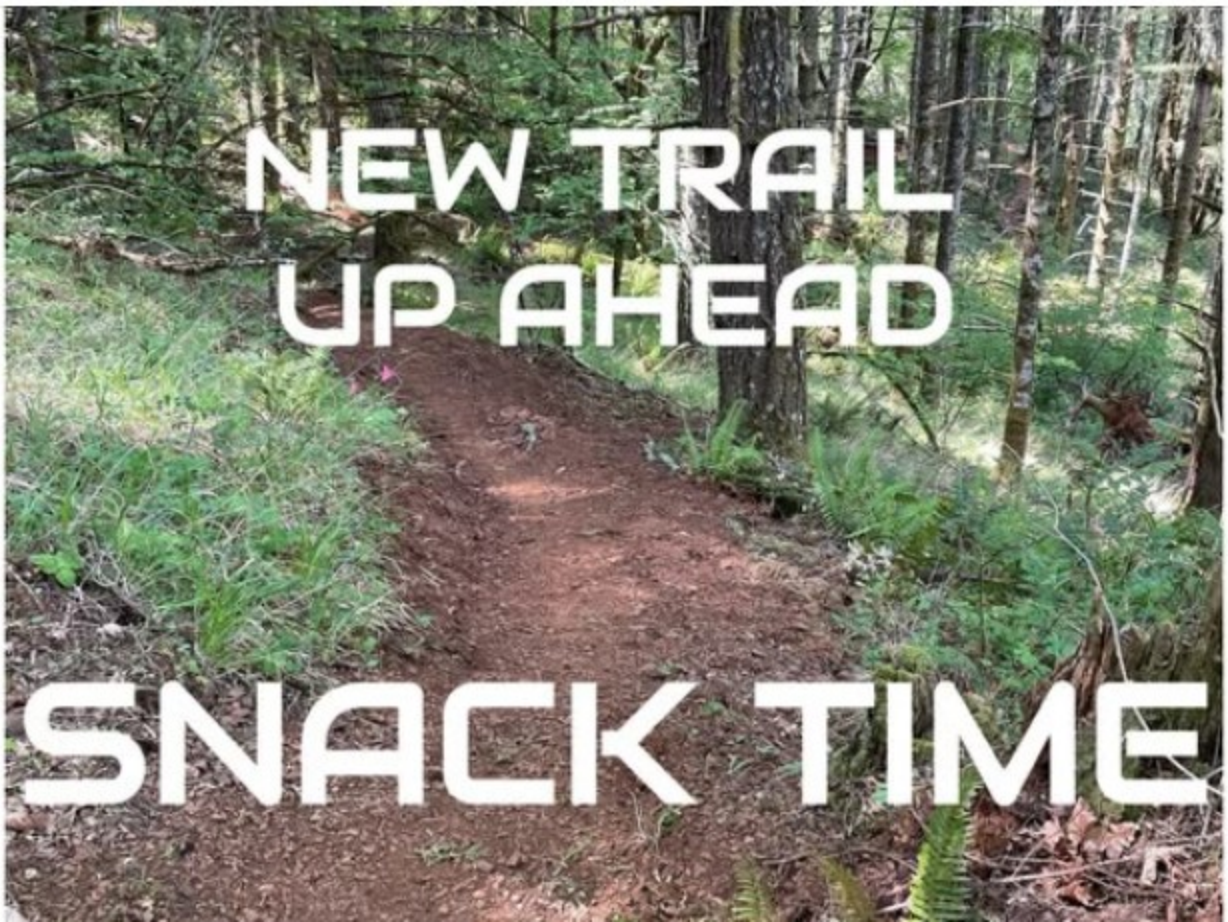


Exhibit 9. Photographs of sections of Snack Time connector trail, a mountain bike connector trail built by a partnership of OSU and Team Dirt. Multiple jumps are shown on this partially completed section. Work is still in progress; red buckets consist of soil to complete the approximately 2' high jumps.









Exhibit 10. Unlike OSU, Starker Forests takes action against unauthorized trails. They recognize trails are built for recreation, and they are not building trails for firefighter access or forestry operations as OSU claims for McDonald Forest in their application for a modification to their 2017 Conditional Use Permit. Material below is from: https://starkerforests.com/news/starker-forests-taking-measures-to-stop-unauthorized-trail-building-and-use/ (accessed 13 November 2026).



Home About Su

Starker Forests Taking Measures to Stop Unauthorized Trail Building and Use

Feb 19, 2016 | News

February 19, 2016

Starker Forest has had a long history of offering free permits for recreation on our forestlands. In 2015, permits were issued for over 4300 recreation activities. We ask that permittees walk, run and bike on existing roads only.

Recently, we have experienced an explosion of unauthorized trail construction and use on our property adjacent to the OSU Research Forests near Corvallis. In particular, we have found multiple sets of trail building tools on our Alder Creek Tree Farm.

We have posted signs clarifying who owns the land and that the unauthorized trails are not ok and should not be built or used. The public is welcome to run and ride on existing roads on our properties with a free permit that is available at our office near Corvallis at 7240 SW Philomath Blvd.

Concerns about liability and erosion caused by rampant trail construction and use, combined with the general philosophy of trespassing and using private property without permission, have caused Starker Forests to take action to stop unauthorized trail construction and use.

According to Marc Vomocil, Vice President of Forestry, â€œWe encourage all kinds of recreation activities on the vast majority of our lands, but we do not want permanent trails built unless we are part of the process.â€

Unauthorized trails will be blocked with signs, flagging and forest brush to make it clear to users that use is illegal. Forestlands in Benton County are patrolled by the Benton County Sheriffâ€™s Office.

Exhibit 11. OSU Recreation Expansion Planning for 2027 and beyond.

OSU RESEARCH & DEMONSTRATION FORESTS | COLLEGE OF FORESTRY



Recreation in the McDonald-Dunn Forest has been an important part of the local community for decades, shaped by multiple planning efforts over time. In 2026, Oregon State University Research Forests will update the Visitor Use Management Plan (VUMP) and invite input from forest users to help guide the future of recreation.

What is the Visitor Use Management Plan?

The Visitor Use Management Plan will consolidate existing policies into one document to support consistent, transparent decision-making as conditions change and provide strategic guidance for managing recreation and visitor use in the McDonald-Dunn Forest. The plan is designed to adapt over time, allowing forest staff to respond to changing use patterns, forest conditions and community needs.

How will the plan be used?

The plan will provide clear guidance for forest staff and the public on how recreation decisions are made, helping ensure safe, equitable and high-quality recreational experiences while balancing public access with resource protection, sustainable forest management and other forest priorities.

What will the plan include?

The plan brings together key elements of visitor management into one framework, including:

- Purpose, vision and guiding principles for recreation.
- Desired conditions for public access.
- A summary of current trails, access and parking.
- Recreation policies and best practices.
- A five- to 10-year trail development plan.
- Community engagement, education and volunteer strategies.
- Monitoring and adaptive management.

Exhibit 12. Hesthavn Preserve (Mid-Willamette Bird Alliance [former Corvallis Audubon] has relentless pressure from OSU McDonald Forest users parking in their limited lot despite clear notices forbidding such use. They have tried numerous ways of informing the public and ultimately made it clear that violators are subject to towing.









Report A. Public Works report on recommended traffic calming measures for upper Oak Creek Dr. as an access route for OSU Forest.

Public Works Department
360 SW Avery Avenue
Corvallis, Oregon 97333
Phone: 541.766 6821
Fax: 541.766.6891

July 27, 2018

TO: Laurel Byer
County Engineer
Engineering & Survey Program Manager

FROM: Luis Gomez
Engineering & Survey Tech

RE: Traffic calming measures for NW Oak Creek DR. County Road #15500

Introduction
A meeting was held on 0411 2018 between Gordon Kurtz, Andrew Monaco, Steve Pilkerton, Stephen Fitzgerald, and Ryan Brown. One item of discussion was OSU proposals for traffic calming measures on the north end of NW Oak Creek Drive. Implementation of traffic calming measures required analysis which are summarized below.

Findings of fact
OSU research forests received comments expressing discomfort from citizens when biking to the South McDonald Forest. The NW Oak Creek Dr. roadway is an access route for the South McDonald Forest (Figure 1). The forests are laboratories managed by the Oregon State University (OSU) College of Forestry. The community, including bicyclists, are allowed to visit, recreate, and use the trails. However, at the intersection with NW Cardwell Hill Dr. (Milepost 1.918, Figure 2,) the NW Oak Creek Dr. bikelane ends. Oak Creek Dr. narrows between Cardwell Hill and the Trailhead forcing bicycles and vehicles to share the road. The roadway continues up to the Trailhead (MP 3.044, Figure 2) without a bike lane. As a result, pedestrian bicycle, and motorized vehicle comfortable driving and ease of use issues must be addressed. Implementation of traffic calming measures on NW Oak Creek Dr. is proposed to address these issues.

Analysis of alternatives
During meeting noted above some alternatives were proposed as possible solutions to the bicyclists' concerns. These issues are analyzed here with some additions. This analysis does not consider changes to the current pavement structure (surface widening was not proposed by OSU). Currently, the width of existing pavement structure, between the MP 1.918 to the MP 3.044, is approximately 22 ft. on average. It is not currently feasible to add bike lanes without altering the current traffic conditions or pavement width.
The alternatives are as follows:

1. **Implement new striping configuration with bike lanes on sides and "single lane in the middle for motor-vehicles":**
   This alternative considers implementing a single lane for motor vehicles and two bike lanes on each side between the MP 1.918 to the MP 3.044. According to AASHTO, the

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number of lanes should be sufficient to accommodate the design traffic volume. Single-lane roadways are recommended where traffic volume is less than 100 vehicles per day (AASHTO, 2001). Since the current traffic Average Daily Traffic (ADT) on this road segment is greater than 500 vehicles per day (According to a special study report developed by Benton County in 2017), the alternative of having a single lane in the middle for motor vehicles is not recommended because it does not meet AASHTO standards.

2. **Implementation of "Sharrows":**
   This alternative considers application of shared lane markings or "Sharrows" in order to instruct motor-vehicle drivers and bicyclists to share the roadway. The markings are proposed to be applied between the MP 1.918 to the MP 3.044. The Federal Highway Administration (FHWA) has demonstrated the effectiveness of implementing sharrows with experiments conducted in Cambridge, MA; Chapel Hill, NC; and Seattle, WA. The maximum speed limit for these analysis was 35 mph. Application of this traffic calming measure is viable at speed limits up to 35 mph. Benton County (2017) has performed classifier speed studies on Oak Creek Dr. between 10/10/17 to 10/17/17. The measured average speed, at the MP 2.01 of the NW Oak Creek Dr. was 32.6 mph, the 50% speed was 33.7 mph, and the 85% speed was 40.6 mph (Figure 3). Implementation of this measure is not expected to cause significant disturbances to the majority of vehicles. It is recommended that shared lane markings should not be placed on roadways that have a speed limit greater than 35 mph. The Manual on Uniform Traffic Control Devices (MUTCD, 2010b) outlines guidance for shared lane markings in section 9C.07.

3. **Implementation of "hill blocks view" signs:**
   According to The MUTCD, the hill blocks view signs may be used in advance of a crest vertical curve to advise roadway users to reduce speed as they approach and traverse the hill. These signs are recommended for implementation at some locations along NW Oak Creek Dr. because some vertical curves cause visibility limitations (e.g. at MP 2.15, Figure 4). The MUTCD (MUTCD, 2010b) outlines guidance for hill-blocks-view signs in section 2C.18.

4. **"Allow 6 in. creep" into the roadway at bollards:**
   This alternative consists moving the fogline stripe 6" into the roadway around the MP 2.95 (Figure 5) to the end of the roadway (MP 3.044). This measure will help keep vehicles clear of bollards installed in the shoulder as well as providing a buffer for maintenance.

Recommendations

In conclusion, there is a demonstrated need for traffic calming measures on NW Oak Creek Dr. roadway in order to provide a more comfortable travel experience for motorists and bicyclists, and pedestrians. Among the analyzed alternatives proposed by OSU, the implementation of the following combined measures are recommended:

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- Implement shared lane markings or "Sharrows" in order to alert/direct motor-vehicle drivers and bicyclists to share the roadway. The markings are proposed to be applied between MP 1.918 to MP 3.044 (i.e. end of the roadway.)
- Install "Hill blocks View" signs at locations along the NW Oak Creek Dr. where vertical curves cause visibility limitations.

County staff also has three further recommendations to assist with traffic calming on this roadway.

1. **Reduce of lane widths and add centerlines all the way from NW Cardwell Hill Dr. to Trailhead:**
   This is an additional alternative to those discussed at the meeting mentioned above. This alternative consists of reducing the lane widths to 9 ft. from MP 1.918 to MP 3.044 and painting centerlines to the end of the roadway. The objective of this measure is to reduce the current speed by altering the drivers' perception. Lane widths of 9 ft. are allowed in local roadways. The recommended lane-width range for local type roadways is between 9 to 12 feet (18 to 24 feet for pavement width) (AASHTO, 2011). According to the Oregon Department of Transportation (ODOT), there is a little change in driving speeds after lowering speeds with posted signs (ODOT, 2018). However, reduction of lane width has shown to reduce driving speeds. Studies from the U.S. Department of Transportation have shown free-flow speed reduction when existing lanes widths are narrowed (FHA, 2018, Table 1.) In summary, this measure consists on moving the fog line "creep" and add additional road edge shy distance to the roadway. This will also provide a more comfortable walking area for pedestrians.

2. **Application for 35 mph speed limit on this roadway:**
   With an 85% speed of 40.6 mph, road and roadside geometry and use patterns of mixed travel modes it is recommended the County apply for a 35 mph speed limit on this road segment from the intersection of Cardwell Hill road to the Trailhead.

3. **Paved shoulder widening to accommodate bike lanes or shoulder bikeway:**
   Although roadside geometry and existing right-of-way constraints make widening difficult, Benton County should begin to analyze costs and impacts of shoulder widening along this road segment given use pattern of the roadway.

The combination of these measures are expected to provide a more comfortable driving experience for all travel modes using this roadway.

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References

- AASHTO, 2001; *A Policy on Geometric Design of Highways and Streets*, Washington, D.C.: AASHTO.
- AASHTO, 1999; Guide for the development of bicycle facilities, Washington, D.C.: AASHTO.
- Benton County, 2017; *Special Speed Study Report*: OAK CRK S., Corvallis.
- FHWA, 2010a; *Evaluation of Shared Lane Markings*, FHWA, VA 22101-2296.
- FHWA, 2010b; *Manual on Uniform Traffic Control Devices*, FHWA.
- ODOT, 2014; *Speed Zone Manual*; Oregon Department of transportation ODOT Traffic-Roadway Section, OR.
- ODOT, 2018; *Speed Zone FAQs;* retrieved from: https://www.oregon.gov/ODOT/Engineering/TRSDocs/Speed-Zone-FAQ.pdf; 07/05/2018
- FHA, 2018; Use of Narrow Lanes and Narrow Shoulders on Freeways: A Primer on Experiences, Current Practice, and Implementation Considerations; retrieved from: https://ops.fhwa.dot.gov/publications/fhwahop16060/ch4.htm, 07/06/2018

Appendices

Public Works Department
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Tables:

Table 1. Reduction in Free-Flow Speed FFS (FHA, 2018).

Average Lane Width (ft.)	Reduction in FFS, f_{LW} (mi/h)
≥12	0.0
≥11–12	1.9
≥10–11	6.6

Figures:

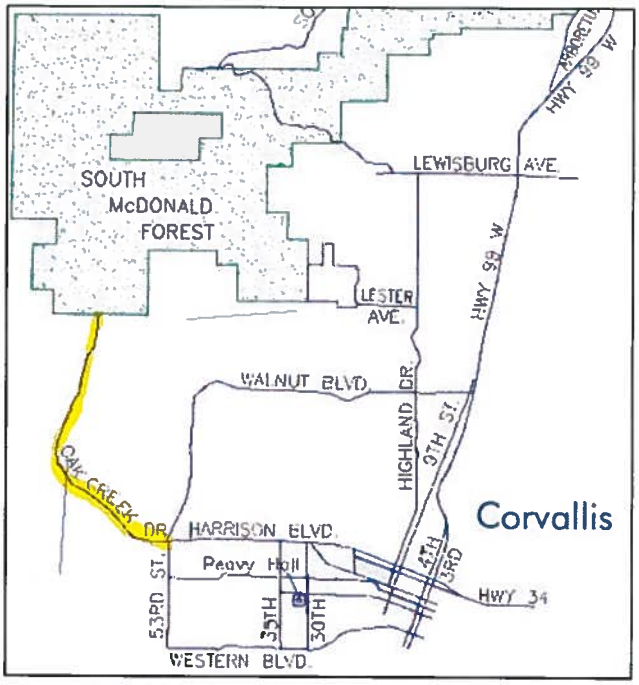

Figure 1. Access to the South McDonald Forest (Source: http://cf.forestry.oregonstate.edu/osu-research-forests-maps).

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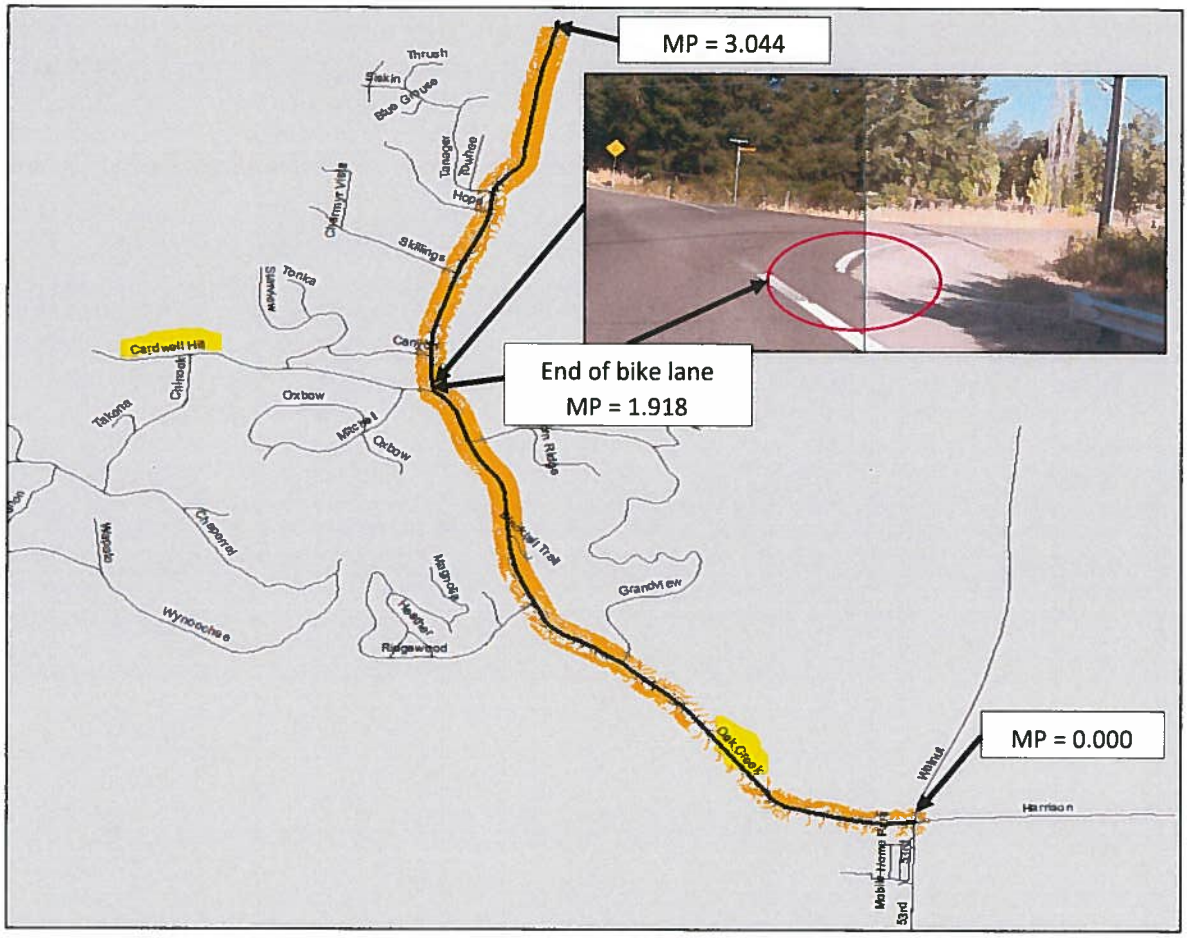

Figure 2. End of the bike lane in the NW Oak Creek Dr. roadway (MP=1.918).

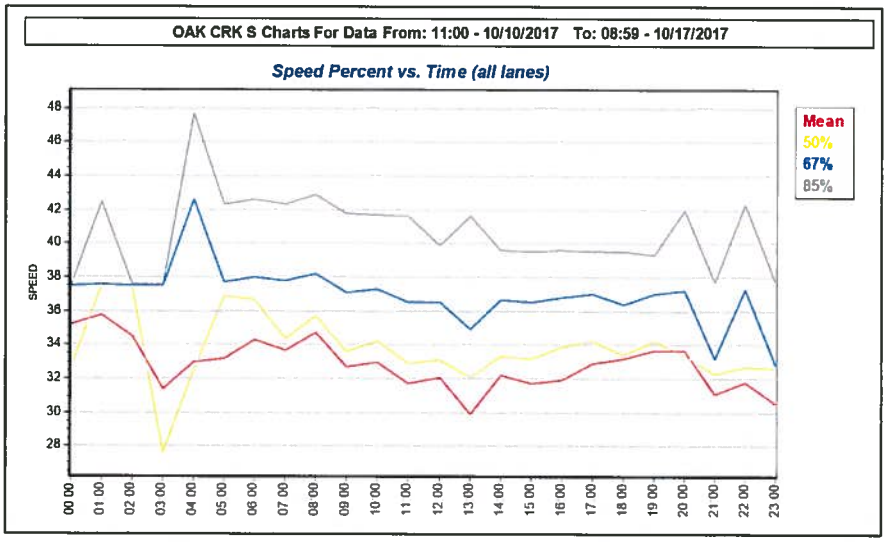

Figure 3. Measured motor-vehicle speed at MP=2.01 in the NW Oak Creek Dr. roadway. Measurement date: 10-10-17 to 10-17-17. Station ID: OAK CRK S. Number of Lanes: 2. (Benton County, 2017)

Public Works Department
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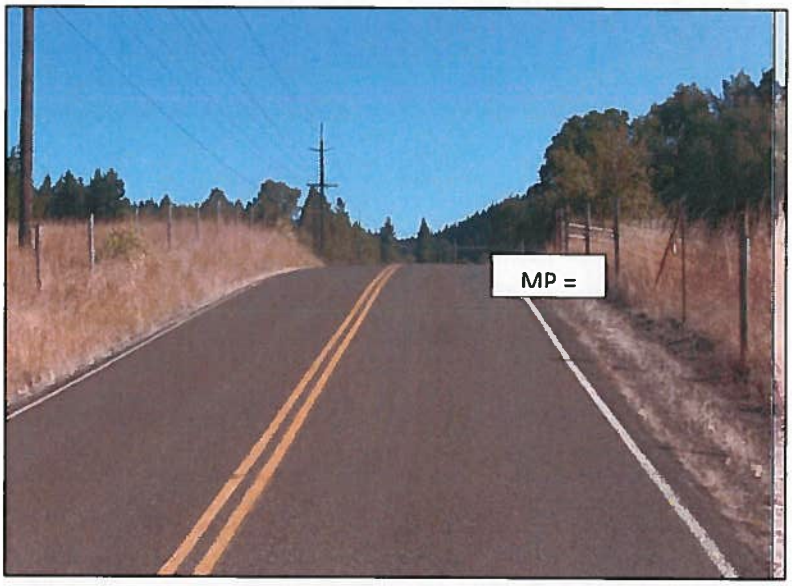

Figure 4. Visibility limitations due to vertical curve approach (MP=2.15).



Figure 5. Roadway after the MP = 2.95, close to the end of the road (MP = 3.044).

Outlook

LU-26-030 (Snack Time Trail appeal)

From Nico Parodi <nicoleparodi001@gmail.com>
Date Mon 10/19/2026 12:11 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for mountain biking.
I live in the Corvallis area and visit regularly.

The trails on the oak creek side of the mac dunn are close to campus and provide easy access for the cycling club to host practice and weekly club rides.

Regarding the Snack Time appeal, the mac desperately needs more official trails. Adding one trail and removing another is not beneficial to anyone. The point of building a new trail is to add to the total number of official trails available to ride. There is no reason whatsoever that in order for a new trail to be built, we have to sacrifice another. You might as well not even build a new trail at all if the city is making us chose between having new terrain at the cost of needlessly giving up another. UA trails make up 80% of riding in the mac Dunn. If you want people to stop building their own trails, the city needs to actually provide additional official trails in the mac (particularly on the oak creek side) and not just "swap out" trails. The mac dunn has potential to be a mountain biking and hiking hot spot and could bring in additional tourism to fund the city. However, the city's demand to decommission an existing, functional trail as a prerequisite for building a new one is arbitrary, capricious, and entirely unwarranted by any factual, environmental, or safety constraints.

Looking ahead, revival and acceptance of old unauthorized trails would greatly increase the number of trails in the macdunn with very little work required as they already exist. This would bring in additional hikers and bikers to the area. Unauthorized trails make up the grand portion of riding the mac and are community favorites. Despite how old some of these trails are, they are still well loved by riders in the community but are not maintained. I think in order to keep people from building new trails, the city needs to allow actual sanctioned trails to be built. The distinct lack of sanctioned trails in the mac is the reason that other people have taken it upon themselves to build new trails for others to enjoy and ride. Snack time should be built. But not at the unnecessary expense of another trail.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Nico Parodi

Outlook

LU-26-030 Snack Time Trail Appeal

From Paul LaCava <lavidalacava@gmail.com>
Date Wed 10/21/2026 10:20 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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Hello. I am writing in support of keeping Innuendo trail as a key part of the McDonald Forest trails plan. I was fortunate to have been able to grow up as a teenager 35 years ago in Corvallis riding bikes on the old trails like South Side Slip and Lupine Letdown and so many more that are now logged and forever changed.

It is important the forest preserve these old natural trails that add character first, and allow for potential new trails to be added but not at the sake of eliminating old classics. The local forest was given to OSU so many years ago in part to preserve recreation and allow for research. Both endeavors have given the community and Oregon as a whole so much.

Lately it feels like the pendulum has swung much more towards short sided cutting of old trees and reducing the trails that created the joy and magic of this special place. Work and business and play are deeply interconnected here. I sincerely hope that initiatives can be made to slow the erotion of old resources and reduce the widespread clear cutting of the forest.

A couple generations have passed since many of these trails were created and the trees are now much bigger than they were several decades ago. It is unfortunate that loud voices of entitled private landowners nearby critical of the community and thwarting not only protection of the forest but reducing new opportunities. It is a community resource and should be treated as such.

Thank you for your work to help keep this place what it is!

-Paul LaCava

503-317-9804
5325 SE 51st Avenue
Portland, OR 97206

Outlook

LU-26-030 Snack Time Trail Appeal

From PAUL LINDBLOM <lindblom9615@msn.com>
Date Tue 11/10/2026 6:36 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, mountain biking and walking with family.
I live within walking distance of a trailhead.

Riding and hiking these trails have been a staple for me, my family and my friends for years. My first mt bike ride was from the Saddle to Dimple hill back in 1995 after we had moved here from Dallas Tx. I was hooked immediately. Not only to the activity, but to the forest and its trails. ...Since that first ride back in 1995, I have met and found numerous like-minded friends, who ride and share the experience of being a part of the forest with me. The forest and its trails have been our catalyst, our reason, to get together weekly for over 25 years now, and enjoy a ride together. ...Since that first ride back in 1995, my spouse and I have walked, biked and jogged on these McDonald Forest trails an uncountable number of times solo, with each other, with our children, and with all the dogs we have owned. The scenery and wild life we see, the peace and joy we feel navigating the many trails, is something everyone should get to experience. It would be all wrong for our community to take a step back and stop trail improvement/building because more people are trying to access them.

Regarding the Snack Time appeal, first off, the trails in McDonald forest are for everyone in our community, and our community should have access to them. Our goal should be to make it easier for folks to access the forest, not make it harder. In my opinion, the Neighborhood group is not stating any evidence to justify that improving the Innuendo trail will bring additional traffic to that area and make it less safe. Trails (Including Snack Time) can be accessed from any number of forest access locations, not just Oak Creek. In addition, there is no connection between improving this trail and an increase in the number of folks that will access this trail starting from the Oak Creek parking lot. The parking lot is not expanding. Improving this trail, or for that matter, building any new additional trails in that area has no bearing on the fact that there are still going to be the same limited number of parking spots available that people can use to access the area. Money has already been spent to limit community access at the Oak Creek entrance by way of reducing the parking lot size. At this point, there should be no further

decisions to further cut off the community from enjoying this improved trail, and for that matter, any new trail work in the future. I am sure there will be alternative proposals to help placate The Neighborhood group. Although I would be open to other suggestions, I don't feel that any are needed to approve the Snack Time project. Let's be honest, the trail is being improved, not a big deal that deserves this much attention. Those who use it will be thrilled because it will be a better trail than Innuendo. Those who don't use the trail, won't notice a difference, whether they're using other trails in the area, or trying to find a parking spot at Oak Creek. Bottom line, there will be little to no impact.

Looking ahead, continued single track trail building for bike/runner use. Team Dirt, McDonald Forest and other volunteer groups have done a great job building and improving trails. Trail systems that can be built further away from forest entrances should allow for more technical terrain consistent with bike usage. Not suggesting to mimic Alsea Falls trail system, but more like No Secret and Play Time. Excellent work has been completed on those trails.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Paul Vincent Lindblom
Mailing address: 2265 NW Russell Place, Corvallis Or.

Outlook

LU-26-030 Snack Time Trail Appeal - Written Testimony

From Peter RABENOLD <hike4turns@comcast.net>
Date Sun 11/15/2026 10:39 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from hike4turns@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am in support of the completion of the new Snack Time Trail. A multi-use and multi-direction trail connector will be a great addition to trail connectivity in the Oak Creek area as well as reduce vehicle vs. cyclist/hiker interactions on the road alternatives.
Although I was an avid user of the trail precursor to Innuendo (then called 'Endo') in the late 1980's, it is not as much my concern now. I am more an avid user of the forest for recreation than ever however and intimately familiar with the area in question. My tracking app tells me for example that I have cycled from Sulphur Springs Saddle up Nettleton Rd past the Radio tower junction on Vineyard Mountain more than 475 times in the last 10 years. That does not count hiking it or running it, just cycling.
More important than the positive contribution this one project will have however is not opening the door to egregious challenges like this for anyone willing to spend some money to get their way. I feel it is unacceptable and just plain wrong to allow 4 nearby residents to torpedo this common sense development that will benefit so many. Sure they have lawyered up and concocted a set of justifications for their complaint but it is obvious that their only concern is reducing traffic and recreation use past or near their homes. I can personally attest that two of the complainants moved to their current location well aware of the important role that Oak Creek forest access played for forest recreation for Corvallis residents. Given how much they themselves proceeded to utilize that resource, it was almost certainly one of the reasons they moved there. Now this move strongly suggests they feel it is theirs to protect against broader use.
I have been a property owner bordering MacDonald forest now for 26 years. During that time, not only neighbors but occasionally strangers have accessed the forest not just by driving on our road, but passing through my extended front 'yard'! We have not in 26 years had any negative experiences with this. We've offered help when people were lost.
These complainants near Oak Creek knew what they were getting into choosing to live there. This 'we've got ours, now everyone else stay out' mentality should be punished rather than rewarded.
Thanks for your time.

Full name: Peter Rabenold

Mailing address: 6963 NW Cabernet Pl. Corvallis, OR 97330

Outlook

LU-26-030 Snack Time Trail Appeal

From Justin Tamplin <justintamplin@gmail.com>
Date Wed 10/21/2026 8:54 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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I am writing to express my support for the protection of existing trails in the Macdonald -Dunn Forest, and the creation of new trails where appropriate. The forest trails are a major part of why people enjoy living in Corvallis and contribute greatly to the quality of life here. Many thousands of residents benefit from the access to forest recreation, whether through hiking or biking. The opinions of a small few neighbors should not cause the community to lose a valuable resource.

Thank you.
Philip Tamplin
Ponderosa Ridge neighborhood
NW Corvallis

Outlook

LU-26-030 Snack Time Trail Appeal

From Rebekah Fowler <rifarama@gmail.com>
Date Tue 10/27/2026 7:47 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking. I live within biking distance of a trailhead.

I need to get away from the noises of the city, to have some alone time in nature.

Regarding the Snack Time appeal, these trailheads are at a crucial location central to portions of the network. They should be connected.

Looking ahead, when people build homes near McDonald Dunn, they need to understand that public access is crucial and may change while they live there.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Rachel Wilder

Outlook

LU-26-030 Snack Time Trail Appeal

From Robert Swan <rswan2024@gmail.com>
Date Mon 10/19/2026 9:37 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

You don't often get email from rswan2024@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for trail running.
I travel to the area to use these trails.

I have been trail running in these forests since 2011 and teaching Beginning Trail Running classes here since 2015. I'm in favor of continuing to expand the trail system to accommodate all user groups.

Regarding the Snack Time appeal, this is an important trail expansion and especially in light of the growing number of user groups (and people generally) in Mac Forest.

Looking ahead, a continuation of responsible trail expansion, maintenance and shared responsibility among a collegial network of partners is essential.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Robert Swan

Outlook

LU-26-030 Snack Time Trail Appeal

From Sarah Frey <sjkfrey@pm.me>
Date Wed 11/18/2026 9:12 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

You don't often get email from sjkfrey@pm.me. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.

I use the forest for hiking, trail running, mountain biking and walking with family. I live within biking distance of a trailhead.

These trails are an amazing resource for recreation and provide the community with a way to enjoy the forests we live amongst.

Regarding the Snack Time appeal, it is important to create and maintain a varied network of trails for all ages and ability levels. Everyone deserves to enjoy the forest.

Looking ahead, I would like to see more beginner trails to take my daughters on. I would like to see cooperation and support rather than the minority making decisions for the entire community. I want equal access and opportunity to enjoy these trails, not just for the privileged few.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Sarah

Outlook

LU-26-030 Snack Time Trail Appeal

From Wolfe Pop9 <wolfepop9@gmail.com>
Date Sun 10/18/2026 4:22 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from wolfepop9@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, mountain biking and walking with family.
I travel to the area to use these trails.

I work on the trails for mind and spirit I ride the trails for mind spirit and fiscal needs to stay active

Regarding the Snack Time appeal, both trails are needed to take a trail away from people just because a few people who don’t help keep the Mac trails safe and fun should not be the reason why the community should suffer

Looking ahead, i would like to see trails that are designed for each activity mountain biking running hiking and equestrian we share the Mac really well it would safe fun for all if we did have separate trails

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Scottie Wolfe
Stay safe stay rad

Sent from my iPhone

Outlook

LU-26-030 snack time trail appeal Scottie Wolfe

From Wolfe Pop9 <wolfepop9@gmail.com>
Date Wed 11/18/2026 9:19 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from wolfepop9@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for hiking, mountain biking and walking with family.
I live in the Corvallis area and visit regularly.

As a local builder and writer of the Mac forest, I enjoy going out in the woods and taking care of the forest and enjoying a good bike ride and a hike. It's one of the great things about Oregon is the beautiful hikes that you get to do all throughout the seasons, how they change. I am a grandpa and I take my grandkids out there to hike and bike all the time. I hope family goes out out there and enjoys the forest. Trails are needed. to be built and upkept to make sure it's safe for everyone to use all ages.

Regarding the Snack Time appeal, for such a small trail that is being built and one that is still maintained, or trying to be decommissioned, is honestly don't how something that could be so good for local children and adults to be taken away because there's a few people that want to clog up the laws and use taxpayer money is honestly sad there are so many people that donate time 100% free just because they like working in the forest and making hiking trails and biking trails and for a few people that think they can control everything, this is sad. Why are we wasting time? Let us build trails, let us ride trails, let us hike trails

Looking ahead, in the future, I would like to see if anything one side of the trails network to be strictly for mountain biking, another side for hiking, and one side for equestrian all the local organizations maintain the trails very well without them, the trails would fall apart and become unsafe for everyone to use. is this the end game for those people to make them unsafe for everybody? We can keep the shelves separated and keep everybody safer and enjoying the mountains even more

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Scottie Wolfe
Mailing address: 4097 ne Bentley dr Albany Oregon 97322
Sent from my iPhone

Outlook

LU-26-030 Snack Time Trail Appeal

From Molecule Motosports <info@moleculemoto.com>
Date Sun 10/18/2026 8:46 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

Some people who received this message don't often get email from info@moleculemoto.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing in support of the Snack Time Trail. I use the McDonald-Dunn Research Forests for hiking, trail running, mountain biking, and family walks. They are close to home and offer rare solitude.

A well-designed new trail would spread out growing use, reduce crowding and erosion, and discourage unofficial trails, consistent with the forest's balance of research and recreation.

I also ask that you remove the requirement to close Innuendo Trail before construction resumes. Established trails should be judged on their own merits, not closed automatically as a tradeoff.

Thank you for considering my comments.

Sincerely,
Seth Haddix

Outlook

LU-26-030 Snack Time Trail Appeal

From Soren O'Neil <soren.oneil@gmail.com>
Date Mon 10/19/2026 11:55 PM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

You don't often get email from soren.oneil@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for mountain biking and live within biking distance of the Oak Creek trailhead.

Having trails within biking distance of my house allows me, and the rest of the Corvallis community to access outdoor recreation without driving (or at least driving a shorter distance than to other recreation sites). This helps promote fitness and community building.

Regarding the Snack Time appeal, Snack Time would allow for access nearly all the way to the top of McCullouch peak without using any logging roads. This would allow for less conflict between logging operations and those using the forest for recreation. I also find trails more appealing than roads to hike and bike on. Personally I have no experience with the trail Innuendo but do not see how it and Snack Time would/should be mutually exclusive.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application,

Soren O'Neil

Outlook

LU-26-030 Snack Time Trail Appeal

From Taylor <mrtaylorhart@gmail.com>
Date Tue 10/20/2026 4:52 AM
To Benton Permit Check <permitcheck@bentoncountyor.gov>
Cc Planning Comments <planningcomments@bentoncountyor.gov>

You don't often get email from mrtaylorhart@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I live in Corvallis; and I regularly use the forest for hiking and trail running.

These trails are special to me because other people showed them to me. I have spent many hours of these trails; and Innuendo holds special memories for me. Whenever I run it alone, I am still reminded of the delight when I was first shown it, and of the times I have shared it with others since. I can't help but smile as I write this.

Regarding the Snack Time appeal, the history that others have clearly documented and can be verified ought to be verified and respected. The claims regarding clear cutting being exceptionally more significant contributor to erosion ought to be clearly understand by decision makers. People can use anything to rationalize anything; It does not have to make sense. If you are up for re-election, serve your constituents. If you serve the forest or any sense of science, then do that. If relevant, please do not use the forest as cheap rationale for money interests.

Looking ahead, I am interested in education to build bridges. Clear and comprehensive information on what it means to be a research forest could help conflicts like this. I think would be appreciated by various parties if the research papers done with the help of the forest were more accessibly shared with the community. This would show what the research is and why it is important.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for time and consideration on this application.

Taylor Hart

Outlook

LU-26-030 Snack Time Trail Appeal - Written Testimony

From u2pride14@icloud.com <u2pride14@icloud.com>
Date Fri 11/13/2026 8:08 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from u2pride14@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include this email and written testimony in the official hearing record for LU-26-030.
Full name: Thomas (Alex) Ryan
Mailing address: 27069 Forest Springs Lane, Corvallis, OR 97330

My name is Alex (33M) and I'm a new homeowner that lives just down the hill from the Lewisburg Saddle entrance with a wife, kid and two dogs. We visit the forest frequently and feel extraordinarily grateful for all that's done to make trails and make the forest accessible for us as a family. It is one of the primary reasons why we choose to stay in Corvallis and build our young family here. For me personally, I'm dealing with a 3 year long chronic injury that prevents me from walking/hiking/running more than a mile. Mountain biking has been my new and only reliable way to get outside into nature. As a new mountain biker, I've really benefited from beginner friendly trails. My understanding is that Snack Time is a more beginner oriented trail, so I'm very excited for its development. Ultimately, my hope is that we can find a more sustainable and community-focused approach to trail approvals and trail building that will allow all of us to continue to be able to access and the forest. It's a really special place that we have as a community.

Outlook

LU-26-030 Snack Time Trail Appeal

From Tim Maddux <tbmaddux@mac.com>
Date Mon 11/9/2026 3:42 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

[You don't often get email from tbmaddux@mac.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

Please include this email of my written testimony in the official hearing record for LU-26-030.

I support the construction of the Snack Time trail. I do not support the closure of the Innuendo trail. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails, and the OSU Research Forests staff and faculty are more than capable of performing this evaluation. In particular, the paired trail use of Snack Time and Innuendo would match well with the Uproute and Extendo trails below by partitioning uphill and downhill traffic.

I have been riding mountain bikes in the McDonald Forest for the past 16 years. I frequently use the forest to reset and find peace through outdoor exercise and connecting with fellow adventurers. I try to get out to the forest multiple times a week during the summer, and even during the winter, I ride at least once a week.

The proposed Snack Time and existing Innuendo/Endo trails will provide crucial connectivity between the Play Time and Login trails above and Uproute and Extendo below. This connection is vital for public safety, as it keeps recreational users off forest roads during harvest operations. It will also provide a more connected and valuable trail experience for everyone.

Furthermore, the county should support further recreational use of the McDonald Forest by encouraging opportunities for expanded access. This includes developing more trails and trailheads, as well as establishing connectivity to systems like the Bald Hill / Mulkey and Alder Creek trail networks. While it is true that the road out to Oak Creek is something of a bottleneck, this could be overcome with collaboration between the Colleges of Agriculture and of Forestry at OSU, alongside the Greenbelt Land Trust to create a non-motorized vehicle line that largely avoids the road below the crossing of Oak Creek itself.

I have read protests regarding traffic impacts and safety in recent social media and news outlets. In my

experience the traffic to and from the Oak Creek gate has always been mild. I have not perceived any great increase in traffic since the start of official trail development with No Secret in 2015.

Stopping official trail development will likely divert users to develop unauthorized trails once again. Supporting official trail development and maintenance is essential to protecting the long term health and sustainability of recreation in the McDonald forest.

Thank you for considering my comments on this application.

Outlook

Re: LU-26-030 (Snack Time Trail appeal)

From Stocke, Zachary <stockez@oregonstate.edu>
Date Mon 11/9/2026 5:18 PM
To Planning Comments <planningcomments@bentoncountyor.gov>

You don't often get email from stockez@oregonstate.edu. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commission,

Re: LU-26-030 (Snack Time Trail appeal)

I respectfully request that this email and my written testimony be included in the official hearing record for LU-26-030.

I am writing to share my perspective on recreation and trail planning in the McDonald-Dunn Research Forests.
I use the forest for trail running and mountain biking.
I live within biking distance of a trailhead.

These trails provide unparalleled daily opportunity for social connection, strengthening the trail running community in Corvallis, access to nature, and decompression.

Regarding the Snack Time appeal, closing Innuendo would be taking something away that thousands of people look forward to biking, running, or hiking on every week. It would provide no benefit to any party to close it permanently, as it's already an established trail. Opening Snack Time would allow for an alternative way down to less experienced mountain bikers who can't necessarily ride a black diamond, making the trails more accessible to all. It would decrease congestion on Innuendo and allow hikers an easier uphill route than taking Innuendo.

I support allowing Snack Time Trail construction to proceed and ask that the requirement to close Innuendo Trail before construction resumes be removed. Established trails should be evaluated on their own merits rather than automatically closed as a condition of building new trails.

Thank you for considering my comments on this application.

Full name: Zachary Stocke
Mailing address: 334 Kings Blvd, Corvallis, OR

EXHIBIT B

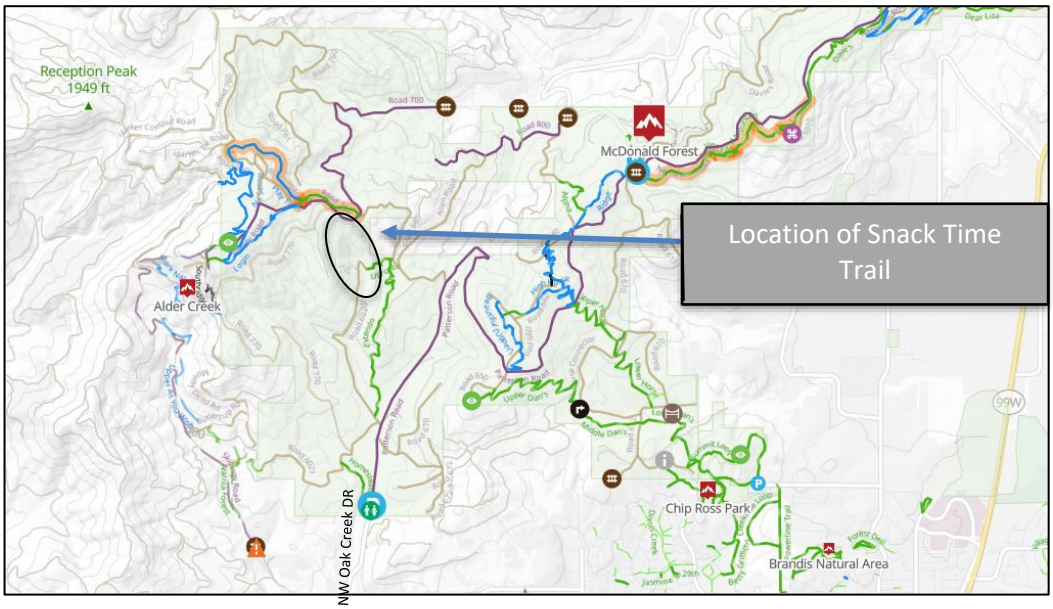
Notice of Planning Commission Meeting

Planning Division
Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
File No. LU-26-030

NOTICE OF PLANNING COMMISSION PUBLIC HEARING

NATURE OF REQUEST	Appeal of the Planning Official's decision to approve Oregon State University's request to modify Conditional Use Permit LU-16-077, that previously authorized new trails within the McDonal/Dunn Forest, by including the existing approximately 4,950-foot (0.94-mile) Snack Time Trail.
PUBLIC HEARING	**Tuesday, December 1, 2026, 6:00 p.m.** Kalapuya Building, 4500 SW Research Way, Corvallis
PROPERTY LOCATION	McDonald-Dunn Research Forest, north of Corvallis, near the terminus of NW Oak Creek Drive. Snack Time trail connects the existing Lower Play Time and Uproute trails.
APPLICANT / OWNER	Oregon State University, College of Forestry
APPELLANTS	Daniel Rosenberg, Jennifer Gervais, Steve Cook, and Terri Cook represented by Hutchingson Cox, Zack P. Mittge
ZONE / PLAN	Forest Conservation (FC) / Forestry
REVIEW PROVISIONS	BCC 53.215, 53.220, 53.225, 53.230, 60.215(1), and 60.220; applicable conditions of LU-16-077; OAR 660-034-0040. Procedural provisions include BCC 51.205, 53.150, 53.160, and 51.805–51.840.
STAFF CONTACT	James Wright, Associate Planner 541-766-6819
NOTICE DATE	November 5, 2026

You are receiving this notice as a nearby property owner or a person entitled to notice of the appeal hearing. The administrative approval is stayed pending resolution of the appeal by County appellate authorities.



Planning Division
Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
File No. LU-26-030

What is being appealed?

The appellants allege expiration of the underlying permit; improper administrative review; insufficient changed circumstances and findings; impacts on neighboring uses, public services, farming and forestry, and fire safety; and failure to meet forest-zone and park master-planning requirements. These are allegations for the Commission to consider, not County conclusions.

How will the hearing work?

The hearing is de novo: the Commission will independently review the application and receive relevant testimony, arguments, and evidence, including new materials. Issues are not limited to those stated in the appeal. The applicant will testify first, followed by supporters, opponents beginning with the appellants, governmental bodies (if applicable), and applicant rebuttal. The Commission may affirm, reverse, or modify the decision and will adopt findings.

Do you want to comment?

You may testify at the December 1, 2026, hearing or submit written testimony from the notice date until the public testimony record closes. Direct testimony to the applicable criteria or other criteria you believe apply. Include your name, mailing address, and File No. LU-26-030. **Email submissions must expressly request inclusion in the hearing record and reach the staff contact during the comment period.**

Submit testimony by mail, drop-off, or email:
Benton County Community Development
4500 SW Research Way, Corvallis, OR 97333
PlanningComments@BentonCountyor.gov

Where can you review the materials?

The application, appeal, documents and evidence relied upon by the applicant, and applicable criteria are available at https://cd.bentoncountyor.gov/land-use-applications-in-review/ and for inspection without charge at Community Development. Copies are available at cost. The staff report will be available at least seven days before the hearing—November 24, 2026. For access or accommodation arrangements, contact 541-766-6819.

How will you learn of the decision?

Notice of the Planning Commission's decision will be mailed only to persons who testify orally or in writing. The notice will explain any further appeal rights.

Failure to raise an issue orally or in writing before the final evidentiary record closes, with sufficient specificity for the County and parties to respond, precludes an appeal to the Land Use Board of Appeals based on that issue.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

The recipient of this notice is hereby responsible for forwarding a copy of this notice to every person with a documented interest, including a renter or lessee.

EXHIBIT C

Appeal Application

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

Community Development Department

Office: (541) 766-6819
360 SW Avery Avenue
Corvallis, OR 97333

co.benton.or.us/cd

APPLICATION

APPEAL OF A DEVELOPMENT DEPARTMENT DECISION

File # LU-26-39

RECEIVED
SEP 30 2026
By

Fee: $250

Appellant

Name: Daniel Rosenberg and Jennifer ~~Gervais~~ Bus Phone: 541-757-9041

Address: 8500 NW Oak Creek Dr. Home Phone: 541-740-4181

City & Zip: Corvallis, OR 97330 Email: danrosenberg.oregon@gmail.com

Other individuals to be notified of this application:

Name	Address	City & Zip
Steve and Terri Cook	8600 NW Oak Creek Drive	Corvallis, OR 97330

The appellant hereby requests the Planning Commission to consider the following decision:

File Number: LU-26-030-Snack TimeTrail Nature of Application: Conditional Use Permit Modification

Decision: Approved with Conditions Decision Date: September 18, 2026

Assessor's Map & Tax Lot Number: T 11S S, R 5 W, Section(s) 7 and 8, W.M., Tax Lot(s) 115050000300

REQUIRED: State the reasons for the appeal, citing the specific Comprehensive Plan or Development Code provisions which are alleged to be violated. Failure to cite specific Plan or Code provisions will nullify your appeal. See BCC 51.830. Attach additional sheets if necessary.

See attached appeal statement.

Signature

October 1, 2026
Date

(For Office Use Only)

Date Application Received: 09/ Receipt Number:

File Number Assigned: LU-26-39 Planner Assigned: PS

Hutchinson Cox

Zack P. Mittge • Special Counsel
zmittge@eugenelaw.com

Dawn A. Furtado • Senior Paralegal
dfurtado@eugenelaw.com

October 1, 2026

Via Hand Delivery

Petra Schuetz, Benton County Planning Official
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333

RE:	Appeal of Snack Time Trail
County File No.:	LU-26-030
Appellants:	Daniel Rosenberg & Jennifer Gervais, Steve Cook & Terri Cook
Our File No.:	14859/13620

Dear Ms. Schuetz:

On behalf of Daniel Rosenberg and Jennifer Gervais and Steve Cook and Terri Cook, we hereby submit the following appeal challenging Benton County's proposed Conditional Use Permit to add the approximately .94-mile Snack Time Trail to LU-16-077 (LU-26-030). Please include this letter in the record of these proceedings and provide copies of all future notices associated with this appeal process to this office.

Benton County's appeal requirements are set out in section 51.830 of the Benton County Code. For ease of reference, we set out the same below in bold italics followed by a brief response demonstrating compliance with the applicable standard.

51.830 - Filing an Appeal.

The appeal requirements of this section are jurisdictional. Failure to fully comply with the appeal requirements of this section is a jurisdictional defect. An appeal shall be filed with the Planning Official no later than 5:00 p.m. on the final day of the appeal period. The appeal must be filed in writing on the form provided by the Planning Official, and shall include:

This appeal conforms to each of the requirements set out in section 51.830 as is set forth herein. It is being filed in writing on the form provided by the Planning Official not later than the final day of the appeal period. These requirements are satisfied.

(1) A statement of the reasons for the appeal, citing the specific Comprehensive Plan or Development Code provisions which are alleged to be violated;

HC
940 Willamette Street, Suite 400
Eugene, Oregon 97401
Mail: PO Box 10886
Eugene, Oregon 97440
Phone: (541) 686-9160
Fax: (541) 343-8693

This appeal is taken from a decision that was made without a hearing, and state law provides that the hearing before the Planning Commission shall be a "de novo hearing" and "shall not be limited to issues raised in the notice of appeal." ORS 215.416(11)(a)(D) & (E)(ii). As such, the county cannot make the specification of issues is a notice of appeal a "*jurisdictional* bar to obtaining the initial evidentiary hearing required by ORS 215.416(3) and (11)." *Landwatch Lane County v. Lane Co.*, 79 Or LUBA 96 (2019).

With those statutory limits in mind, we hereby provide the following statement of issues to inform the Planning Commission's review of the Planning Official's decision:

1. The Planning Official exceeded her jurisdiction by approving modification of a conditional use permit application which has expired or become void under LU 16-077 and section 53.230.

2. The Planning Official exceeded her jurisdiction by purporting to approve a modification of a conditional use permit application as an administrative action when section 53.225 required that the modification be processed as a new request for a conditional use permit and that the decision be made by the Planning Commission under 51.605(1)(b).

3. The decision violates section 53.225 as the applicant has not demonstrated that a change in circumstances that warrants modification of LU 16-077.

4. The decision violates section 53.215(1) by allowing a proposed use which seriously interferes with uses on adjacent property, with the character of the area, and with the purposes of the zone.

5. The decision violates section 53.215(2) by allowing a proposed use which imposes an undue burden on public improvements, facilities, utilities or services available to the area.

6. The decision violates section 53.215(3) by not complying with additional criteria required for the specific use by the code.

7. The decision violates section 60.215(1) of the Forest Conservation Zone by approving a mountain bike route that is not appropriate for the forest environment.

8. The decision violates section 60.215(1) of the Forest Conservation Zone and OAR 660-034-0040 by approving development of a mountain bike route without the required park master planning.

9. The decision violates section 60.220(1)(a) by allowing a route which will force a significant change in or significantly increase the costs of accepted farming or forest practices on agriculture or forest lands.

10. The decision violates section 60.220(1)(b) by significantly increasing fire hazard or significantly increasing fire suppression costs or significantly increasing risks to fire suppression personnel.

11. The Planning Official makes a decision which is not supported by adequate findings addressing the relevant criteria.

(2) A statement of the standing to appeal; and

Section 51.825 provides that "any person may appeal a decision of the Planning Official to the Planning Commission." The appellants are persons who may appeal the decision of the Planning Official to the Planning Commission.

In addition, appellants were entitled to notice under ORS 215.416(11)(c)(A) and received notice of the Planning Official's decision. They are also adversely affected by the authorization of an expanded trail system, as they own property within sight and sound of the McDonald-Dunn Research Forest and are impacted by the increased traffic congestion on upper Oak Creek Drive, decreased traffic safety for vehicles, pedestrians and cyclists, adverse impacts to emergency response, and increased fire risk which are encouraged by the expansion of the trail system.

This requirement is satisfied.

(3) Payment of the filing fee established by order of the Board of Commissioners.

The appellants include the $250 filing fee established by the Board of Commissioners consistent with state law. ORS 215.416(11)(b).

This requirement is satisfied.

Conclusion

As the appellants have demonstrated compliance with each of the requirements applicable for filing an appeal, we hereby respectfully request that the County proceed with the initial evidentiary hearing in this matter before the Planning Commission in accordance with ORS 215.416(11)(a)(D) and (E) and ORS 197.797.

Very truly yours,

HUTCHINSON COX

Zack P. Mittge

ZPM/df
Enclosures: Appeal Form
Application Fee - $250

EXHIBIT D

Notice of Planning Official Determination

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819
co.benton.or.us/cd

NOTICE OF DECISION

FILE NO.:	LU-26-030 – Snack Time Trail
APPLICANT / OWNER:	Oregon State University, College of Forestry
NATURE OF REQUEST:	Conditional Use Permit modification to add approximately 0.94-mile Snack Time Trail to LU-16-077
PROPERTY LOCATION:	McDonald-Dunn Research Forest; portions of Tax Lot 115050000300, Township 11 South, Range 5 West, W.M.
ZONING:	Forest Conservation (FC); Comprehensive Plan designation: Forestry
DECISION DATE:	September 18, 2026
DECISION MAKER:	Petra Schuetz, Benton County Planning Official
DECISION:	**APPROVED WITH CONDITIONS**

I. INTRODUCTION

This Notice of Decision states the Benton County Planning Official's final determination on LU-26-030. Oregon State University requests modification of LU-16-077, the approved Recreation Development Plan for the McDonald-Dunn Research Forest, to add the mapped Snack Time Trail.

II. BACKGROUND

Snack Time is an approximately 4,950-foot (0.94-mile) internal connector between Lower Play Time and Uproute. The request includes no new trailhead, vehicular access, parking area, road connection, building, utility, campsite, or ignition-producing facility. The County reviewed the application, LU-16-077, the compliance history, notice materials, and written comments received during the comment period.

III. PLANNING OFFICIAL DECISION

LU-26-030 IS APPROVED, SUBJECT TO THE CONDITIONS BELOW. Approval is limited to the mapped Snack Time Trail. Based on the record and the findings in the administrative decision, the Planning Official finds that the limited proposal satisfies BCC 53.215 and BCC 60.220 as conditioned. This approval does not authorize any other trail or broader recreational development.

IV. CONDITIONS OF APPROVAL

1. Scope and conformance. Approval is limited to the Snack Time Trail alignment shown in the April 27, 2026 application, approximately 4,950 feet in length. Development and use shall conform to the application except as modified by these conditions.

2. Continuing LU-16-077 obligations. Conditions 1, 3, 4, 5, 6, and 7 of LU-16-077 remain in effect to the extent applicable to Snack Time and circumstances unchanged by this modification, including requirements addressing conformance, parking and transportation management, Oak Creek safety measures, the FC Zone declaration, protection of Fender's blue butterfly, and evaluation of emergency-only evacuation access. Nothing in this decision excuses or resolves a separate violation of LU-16-077. If an express conflict exists, the more specific requirement of this decision governs only for Snack Time.

3. No authorization of other development. This decision does not authorize any other trail, trail reroute, trailhead, parking area, road access, building, utility, or recreational facility. Other development is subject to the land-use review, if any, required by the Code when proposed.

4. Replaced alignment. Within 30 days after this decision becomes effective, OSU shall close and decommission the older Innuendo alignment depicted in the application. Decommissioning shall discourage continued use and stabilize disturbed soil. Within 30 additional days, OSU shall provide dated photographs or equivalent documentation to the Planning Division.

5. Fire and operational management. OSU shall apply its adopted Research Forest fire restrictions, seasonal or emergency closures, visitor notices, and emergency procedures to Snack Time. OSU may and shall close the trail when required by applicable fire restrictions, forest operations, research activities, or hazardous conditions. Nothing in this approval limits OSU's authority or responsibility to restrict public access during those periods.

6. FC Zone declaration. Before this approval becomes effective, OSU shall provide the Planning Division with the recording reference demonstrating that the declaration required by BCC 60.220(2) covers all property containing the approved alignment. If it does not, OSU shall execute and record the required declaration and provide the recording reference.

7. Compliance verification. Upon reasonable request, OSU shall provide information necessary for the County to verify compliance with these conditions. Compliance matters outside the scope of this decision remain subject to separate enforcement under applicable law.

V. FINDINGS AND RECORD

The Planning Official's Administrative Decision and Findings for LU-26-030 are incorporated into this notice by reference. The decision, findings, conditions, and record are available for inspection at no cost at Benton County Community Development, 4500 SW Research Way, Corvallis, Oregon 97333. Copies may be obtained at a cost reasonably calculated to cover copying expenses.

VI. APPEAL RIGHTS AND EFFECTIVE DATE

Any person with standing under BCC 51.825 may appeal this final Planning Official decision to the Benton County Planning Commission. Under BCC 51.805 and 51.815, the appeal must be filed with the Planning Official within 14 calendar days from the date of final decision and no later than 5:00 p.m. on the final day. The appeal must be submitted on the County appeal form, state the reasons for appeal

with reference to applicable Code criteria, identify the appellant's standing, and include the fee and information required by BCC 51.830.

Appeal authority: Benton County Planning Commission. File with Benton County Community Development, 4500 SW Research Way, Corvallis, Oregon 97333; telephone 541-766-6819. Contact the Department for the current appeal form, fee, and filing instructions.

Appeal deadline: October 4, 5:00 p.m.

Under BCC 51.820, this decision becomes effective when the appeal period expires unless a timely appeal is filed. A timely appeal stays the decision pending the appeal. Condition 6 must also be satisfied before the approval becomes effective.

VII. NOTICE AND MAILING

In accordance with BCC 51.625, this notice is mailed within two days after the decision date to the applicant, owners of the subject property, affected property owners entitled to notice, and persons who submitted written or oral testimony in the proceeding.

VIII. STAFF CONTACT

Petra Schuetz, Planning Official | 541-766-6819 | petra.schuetz@bentoncountyor.gov

Petra Schuetz, Planning Official
Date: __09.18.27_____

EXHIBIT E

Planning Official's Staff Report, Including Attachments A-J

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819
co.benton.or.us/cd

PLANNING OFFICIAL ADMINISTRATIVE DECISION AND FINDINGS

Conditional Use Permit Modification

NATURE OF REQUEST	**Incorporate the approximately 0.94-mile Snack Time Trail into the recreation development previously approved under LU-16-077**
FILE NUMBER	LU-26-030
APPLICANT | OWNER	Oregon State University, College of Forestry
APPLICANT REPRESENTATIVE	Steven Hultberg, Radler White Parks & Alexander LLP
PROJECT LOCATION	McDonald-Dunn Research Forest; SE 1/4 NE 1/4 Section 7 and SW 1/4 NW 1/4 Section 8, Township 11 South, Range 5 West, W.M.
ZONE | PLAN DESIGNATION	Forest Conservation (FC) | Forestry
APPLICABLE CRITERIA	BCC 53.150, 53.215, 53.220, and 60.220; applicable conditions of LU-16-077.
STAFF CONTACT	Petra Schuetz, Planning Official, petra.schuetz@bentoncountyor.gov

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DECISION: APPROVAL WITH CONDITIONS

The Planning Official approves LU-26-030, subject to the conditions in Section VII. This decision authorizes only the mapped Snack Time Trail as illustrated in Figure XX appended to this report. It does not approve another trail, trailhead, parking area, access point, building, utility, or broader revision to Oregon State University's Recreation Development Plan.

Summary

Oregon State University (OSU) requests a modification of LU-16-077, the 2017 Conditional Use Permit approving a phased Recreation Development Plan for the McDonald-Dunn Research Forest. The requested modification would add the approximately 4,950-foot Snack Time Trail, an internal connector between Lower Play Time and Uproute. OSU states that the alignment improves access for forest inventory, management, education, research, fire response, and recreation, and replaces an older, eroded, unauthorized alignment.

The County received substantial opposition concerning the administrative process related to and subsequent compliance with LU-16-077, traffic and parking on NW Oak Creek Drive, emergency access and evacuation, wildfire risk, habitat effects, and cumulative trail development. Those concerns are genuinely existing management issues. The question in this application, however, is narrower: whether the incremental effects reasonably attributable to adding this internal trail satisfy BCC 53.215 and 60.220. The decision does not determine whether existing traffic, parking, or fire concerns are absent, and it does not excuse unrelated violations of LU-16-077.

Based on the application, the mapped alignment, the prior approval, and the comments in the record, the Planning Official finds that Snack Time is a short internal connector that creates no new trailhead, vehicular access, parking area, road connection, building, utility, campsite, or ignition-producing facility. The record does not establish that this connector will itself materially increase overall visitation or vehicle trips. Conditions limit the approval to the mapped alignment, carry forward applicable requirements of LU-16-077, require closure and stabilization of the replaced alignment, apply OSU's fire restrictions and closure procedures, and preserve separate enforcement authority.

I. Proposal Site and Existing Approval

A. Subject Property and LU-16-077

The McDonald-Dunn Research Forest encompasses approximately 11,500 acres north of Corvallis. OSU manages the property as a working research forest for forestry research, teaching, demonstration, timber management, ecological objectives, and public recreation. On September 5, 2017, the Benton County Planning Commission approved LU-16-077, a phased Recreation Development Plan addressing designated trails and facilities, decommissioning of unauthorized trails, and selected parking, traffic-management, restroom, and public-safety measures.

Snack Time lies within the Forest Conservation Zone and is shown on the map submitted with the April 27, 2026 application. The application describes the trail as approximately 4,950 feet (0.94 mile) long. Its endpoints connect with existing internal trails; it does not directly connect to a public road.

B. Requested Modification

OSU requests that the mapped Snack Time alignment be added to LU-16-077. According to OSU, the trail provides access to an approximately 80-acre area not otherwise served by roads or trails and replaces the older Innuendo alignment, which OSU describes as eroded and poorly located. No new trailhead, parking area, vehicular access, building, sanitary facility, lighting, utility, or event venue is proposed.

OSU submitted the application to resolve the County compliance matter while reserving its position that certain recreational uses may be allowed without conditional-use review. This decision applies the County's existing interpretation and does not decide OSU's reserved argument for any other project.

C. Authority and Scope of Administrative Decision

BCC 51.205(4) directs the Planning Official to review and decide land-use applications except where the Code specifically provides otherwise and authorizes referral to the Planning Commission. BCC 53.150 establishes administrative review for actions involving little discretion, and BCC 53.160 directs the Planning Official to issue the decision unless the matter is referred. BCC 60.215(1), by contrast, assigns a new park or campground conditional-use permit in the FC Zone to the Planning Commission. LU-16-077 established the McDonald-Dunn recreation development as the underlying approved use through Planning Commission review. This application does not establish a new park, enlarge the approved property, add a trailhead or support facility, or seek

approval of a broader recreation program; it asks only to conform one internal trail alignment to the existing approval. The Planning Official therefore interprets BCC 60.215(1) as governing establishment of the underlying park use, not every limited conformance amendment to an already approved use. BCC 53.225 requires a qualifying conditional-use modification to be processed as a new conditional-use request, so the County applies the substantive criteria in BCC 53.215, 53.220, and 60.220. Read together with BCC 51.205(4), 53.150, and 53.160, that requirement does not change this limited alignment review into establishment of a new park. The September 18, 2025 interpretation required land-use review for Snack Time, and the January 26, 2026 process determination limited the administrative application to this single trail. Based on that limited scope, the Planning Official concludes that the application may be decided administratively. Any new trail outside the mapped request, new access or support facility, expansion of the recreation program, or broader revision remains subject to the process assigned by the Code when proposed.

II. Procedural History

Date	Event
September 5, 2017	Planning Commission approved LU-16-077, the phased Recreation Development Plan.
May 6, 2025	Nearby residents submitted a complaint alleging unauthorized construction of Snack Time and noncompliance with LU-16-077.
September 18, 2025	The Planning Official determined that trail development not approved in LU-16-077 required land-use review and identified modification or restoration as potential remedies.
January 26, 2026	The Planning Official confirmed that a discrete Snack Time application could be reviewed administratively without authorizing or evaluating other trails.
April 27, 2026	OSU dated its application narrative and proposed findings.
May 21, 2026	The County received the application fee for a conditional-use staff decision.
June 18, 2026	The County deemed the application complete.
August 5, 2026	The County issued notice of the application and opportunity to submit written comments.
August 17, 2026	The written-comment period closed at 5:00 p.m., extended from Sunday, August 16.

III. Record and Public Comments

A. Materials Reviewed

1. OSU application form, written narrative, map, and proposed findings dated April 27, 2026.
2. LU-16-077 decision and conditions of approval.
3. May 6, 2025 complaint and supporting exhibits.
4. OSU's August 26, 2025 response to the complaint.
5. September 18, 2025 Planning Official interpretation and January 26, 2026 process determination.
6. August 5, 2026 notice materials and mailing record.

B. Summary of Public Comments

The County received comments supporting and opposing the application. Team Dirt supports approval and states that the trail formalizes and improves movement through an already heavily used portion of the forest, distributes users, and reduces conflicts (Exhibit H). The Upper Oak Creek Neighbors and the Mid-Willamette

Bird Alliance oppose approval (Exhibits I and J). Their principal issues include: whether an administrative decision is authorized; construction before approval; the expiration and alleged noncompliance of LU-16-077; cumulative trail development; increased visitation and vehicle demand; constrained parking and emergency access on NW Oak Creek Drive; wildfire ignition and evacuation; habitat and wildlife effects; and whether a broader Planning Commission process is required.

The County considers those arguments where they relate to the applicable criteria or the proper procedure for this application. Existing conditions on NW Oak Creek Drive and alleged failures to comply with LU-16-077 are relevant background, but **this decision does not adjudicate unrelated compliance allegations**. Evidence of cumulative effects is considered to the extent it shows that Snack Time itself would materially contribute to an impact governed by BCC 53.215 or 60.220. Speculation about unidentified future trails is not treated as an impact of this application because Condition 3 expressly excludes them.

IV. Applicable Criteria and Planning Official Findings

The applicant bears the burden of demonstrating compliance. The findings below evaluate the application, LU-16-077, supporting and opposing comments, and the limited incremental effects of the mapped trail. No finding relies on assumed agency concurrence.

BCC 53.215(1)

The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

Planning Official Findings. Snack Time is located within an approximately 11,500-acre working research forest containing an established trail network and long-standing public recreation. It is an internal, unlighted, nonmotorized connector of less than one mile. It creates no new public entrance, direct road connection, trailhead, parking supply, building, utility, event venue, or overnight use. OSU represents that it replaces an eroded alignment, provides access for forest inventory and management, and connects two existing trails (Exhibit A). Team Dirt similarly describes it as a route that distributes existing users (Exhibit H). Opponents document current traffic, parking, safety, and livability concerns associated with recreation at the forest (Exhibits I and J), but the record contains no traffic count, visitation projection, or other evidence demonstrating that this internal connector will materially increase overall forest visitation or vehicle trips. The Planning Official therefore does not find that those existing concerns are immaterial; rather, the evidence does not establish that the limited amendment will seriously interfere with adjacent uses or the area's established forest and recreation character. Applicable traffic, parking, signage, management, and safety obligations in LU-16-077 remain enforceable (Exhibit B). The FC Zone protects forest management, air, water, wildlife resources, and compatible outdoor recreation. The trail's management, research, education, fire-access, and recreational functions are consistent with that purpose, and closure of the older alignment reduces erosion and unmanaged use.

Conclusion: BCC 53.215(1) is satisfied, subject to Conditions 1 through 5.

BCC 53.215(2)

The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.

Planning Official Findings. The proposal relies on the existing trail system, trailheads, access points, and parking and requires no public water, wastewater, utility, building, or new road facility (Exhibit A). The

comments document constrained roadway and parking conditions and concerns about emergency response (Exhibits I and J). Those conditions warrant continued enforcement and management under LU-16-077 (Exhibit B). The applicable standard, however, is whether the demand attributable to Snack Time imposes an undue burden. OSU states that the trail is less than one mile, links existing trails, and requires no new facilities (Exhibit A). Team Dirt states that the connector can distribute users and reduce congestion within the trail system (Exhibit H). The opposing evidence establishes existing constraints but does not quantify an additional service or facility demand caused by this connector. On this record, and with no new trailhead or parking capacity authorized, the incremental demand reasonably attributable to Snack Time will not impose an undue burden. This finding does not determine compliance with the existing parking and enforcement conditions, which remain separately enforceable.

Conclusion: BCC 53.215(2) is satisfied, subject to Conditions 2, 3, 5, and 7.

BCC 53.215(3)

The proposed use complies with any additional criteria required for the specific use by the Benton County Code.

Planning Official Findings. The additional applicable FC Zone criteria are stated in BCC 60.220 and are addressed below. Conditions imposed under BCC 53.220 define the approved alignment, preserve existing obligations, address fire management and closure, require decommissioning of the replaced alignment, and prevent reliance on this decision for other development.

Conclusion: BCC 53.215(3) is satisfied because the proposal satisfies BCC 60.220 as conditioned.

BCC 60.220(1)(a)

The use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

Planning Official Findings. The trail lies on OSU forest land and is not a residential use. OSU manages both the affected land and the trail. OSU states that the alignment improves access to an approximately 80-acre area for forest inventory, management, education, research, and fire response (Exhibit A). Nothing in the record identifies an accepted farm or forest practice on neighboring land that the internal alignment would restrict, or a practice whose cost would significantly increase. OSU retains authority to restrict or close the trail during harvesting, research, fire danger, or other forest operations. Condition 5 expressly preserves that authority and requires applicable closures. The replacement and stabilization requirement in Condition 4 also reduces interference from continued use of the older eroded alignment.

Conclusion: BCC 60.220(1)(a) is satisfied, subject to Conditions 4 and 5.

BCC 60.220(1)(b)

The use will not significantly increase fire hazard, significantly increase fire-suppression costs, or significantly increase risks to fire-suppression personnel.

Planning Official Findings. The record contains competing evidence and argument. OSU states that the alignment improves access to an approximately 80-acre area, supports early detection and reporting, provides entry and egress for personnel, and may function as a control feature during suppression (Exhibit A).

Opponents identify human-caused ignition, smoking, illegal roadside parking, a constrained evacuation route, and the potential for additional recreational use to complicate evacuation and response (Exhibits I and J). The criterion does not require a finding that recreation is free of fire risk; it asks whether this proposal will significantly increase hazard, cost, or personnel risk. Snack Time is a short internal nonmotorized connector. It adds no trailhead, parking area, road, campsite, electrical equipment, cooking facility, or other ignition-producing development. The record does not establish a measurable increase in visitation caused by the connector. The Planning Official gives limited weight to the applicant's broader assertion that recreational users do not increase fire starts because it is attributed to an informal communication and is disputed. Approval instead rests on the trail's limited physical and operational scope and the enforceable application of OSU's existing fire restrictions, closures, emergency procedures, and operational closure authority under Condition 5. Existing evacuation and illegal-parking concerns remain subject to LU-16-077 and other County authority.

Conclusion: BCC 60.220(1)(b) is satisfied, subject to Conditions 2, 3, 5, and 7.

BCC 60.220(1)(c)
The use complies with BCC 53.215 and 53.220.

Planning Official Findings. As found above, the proposal satisfies BCC 53.215. BCC 53.220 authorizes conditions addressing site size and location, road capacity, access, parking, traffic circulation, environmental influences, and law-enforcement and fire protection, among other matters. The conditions below are tied to the approved alignment, existing LU-16-077 obligations, the replaced trail segment, fire and operational closures, the required FC Zone declaration, and compliance verification. They are proportionate to the limited amendment and ensure continuing Code compliance.

Conclusion: BCC 60.220(1)(c) is satisfied.

BCC 60.220(2)
The owner shall record the required declaratory statement recognizing nearby forest operations and hazards.

Planning Official Findings. LU-16-077 required the FC Zone declaratory statement. The present record does not include a recording reference demonstrating that the previously recorded declaration covers every tax lot containing the approved Snack Time alignment. Condition 6 therefore requires OSU to provide that evidence before this approval becomes effective or, if the earlier declaration does not cover the affected property, to execute and record the declaration required by BCC 60.220(2).

Conclusion: BCC 60.220(2) is satisfied through Condition 6.

V. Response to Principal Procedural Issues Raised in Public Comments

May the County decide this application administratively?

Yes, under the interpretation stated in Section I.C. BCC 60.215(1) required Planning Commission review when LU-16-077 established the underlying park and recreation use. The present action does not establish a new park or expand the approved property or recreation program; it addresses one mapped internal alignment within the previously approved use. BCC 51.205(4), 53.150, and 53.160 therefore authorize a Planning Official decision. BCC 53.225 requires application of the conditional-use process and criteria to a qualifying

modification, but it does not expressly state that every later alignment amendment must return to the original hearings body. The County provided notice and an opportunity for written comment notwithstanding BCC 51.605(4)(a), which otherwise exempts administrative review from notice of proposed action. Referral remained discretionary, but the limited scope and available record permit an administrative decision.

Does this decision reopen or replace LU-16-077?

No. LU-16-077 supplies relevant history and continuing conditions. This decision independently applies the current criteria to Snack Time and supplements the prior approval only as expressly stated. It does not reconsider the overall Recreation Development Plan or excuse a failure to comply with an existing condition.

Does approval resolve the pending compliance allegations?

Only in part. Once final and effective, this decision authorizes the mapped Snack Time alignment subject to its conditions. Alleged violations involving other trails, parking enforcement, expired phases, or other obligations of LU-16-077 are outside this application's scope and may be investigated or enforced separately.

Do existing traffic, parking, and fire concerns require denial?

No, not on this record. Those concerns are material and were evaluated under BCC 53.215(1), 53.215(2), and 60.220(1)(b). The evidence establishes existing constraints associated with recreation at the forest, but it does not demonstrate that this internal connector, without a new access point or parking facility, will cause a serious interference, an undue public-service burden, or a significant increase in fire hazard, suppression cost, or personnel risk. The approval does not limit separate enforcement or future action addressing existing conditions.

What about habitat and cumulative trail development?

The mapped alignment and replacement of an eroded trail are the only development before the County. The application states that the replacement avoids resource damage, including erosion and sensitive resources. No contrary site-specific habitat evidence identifies a protected resource on the mapped alignment or demonstrates noncompliance with an applicable approval criterion. Future or unidentified trails are not authorized, and cumulative impacts remain reviewable when supported by evidence connecting them to an applicable criterion.

VI. Decision

The Planning Official finds that the applicant has demonstrated compliance with BCC 53.215 and 60.220 for the limited Snack Time proposal. These findings are based on the trail's internal location and scale, the absence of new access or support facilities, its represented forest-management functions, closure of the replaced alignment, and the conditions below. The findings do not extend to another trail or broader recreational development.

LU-26-030 IS APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS.

VII. Conditions of Approval

1. Scope and conformance. Approval is limited to the Snack Time Trail alignment shown in the April 27, 2026 application, approximately 4,950 feet in length. Development and use shall conform to the application except as modified by these conditions.

2. Continuing LU-16-077 obligations. Conditions 1, 3, 4, 5, 6, and 7 of LU-16-077 remain in effect to the extent applicable to Snack Time and circumstances unchanged by this modification, including requirements addressing conformance, parking and transportation management, Oak Creek safety measures, the FC Zone declaration, protection of Fender's blue butterfly, and evaluation of emergency-only evacuation access.

Nothing in this decision excuses or resolves a separate violation of LU-16-077. If an express conflict exists, the more specific requirement of this decision governs only for Snack Time.

3. No authorization of other development. This decision does not authorize any other trail, trail reroute, trailhead, parking area, road access, building, utility, or recreational facility. Other development is subject to the land-use review, if any, required by the Code when proposed.

4. Replaced alignment. Within 30 days after this decision becomes effective, OSU shall close and decommission the older Innuendo alignment depicted in the application. Decommissioning shall discourage continued use and stabilize disturbed soil. Within 30 additional days, OSU shall provide dated photographs or equivalent documentation to the Planning Division.

5. Fire and operational management. OSU shall apply its adopted Research Forest fire restrictions, seasonal or emergency closures, visitor notices, and emergency procedures to Snack Time. OSU may and shall close the trail when required by applicable fire restrictions, forest operations, research activities, or hazardous conditions. Nothing in this approval limits OSU's authority or responsibility to restrict public access during those periods.

6. FC Zone declaration. Before this approval becomes effective, OSU shall provide the Planning Division with the recording reference demonstrating that the declaration required by BCC 60.220(2) covers all property containing the approved alignment. If it does not, OSU shall execute and record the required declaration and provide the recording reference.

7. Compliance verification. Upon reasonable request, OSU shall provide information necessary for the County to verify compliance with these conditions. Compliance matters outside the scope of this decision remain subject to separate enforcement under applicable law.

VIII. Record and Attachment List

Exhibit	Description
A	Application form, fee receipt, applicant narrative, map, and proposed findings (April 27, 2026)
B	LU-16-077 decision and conditions of approval
C	May 6, 2025 complaint and supporting exhibits
D	OSU response to complaint (August 26, 2025)
E	Planning Official interpretation (September 18, 2025)
F	Planning Official process determination (January 26, 2026)
G	Completeness determination and August 5, 2026 notice materials
H	Team Dirt comments (August 14, 2026)
I	Upper Oak Creek Neighbors comments and exhibits (August 14, 2026)
J	Mid-Willamette Bird Alliance comments (August 16, 2026)

IX. Appeal Rights and Effective Date

Under BCC 51.805 and 51.815, a final decision of the Planning Official may be appealed to the Benton County Planning Commission within 14 calendar days from the date of final decision. An appeal must be filed with the Planning Official no later than 5:00 p.m. on the final day of the appeal period, on the County appeal form, and must include the information and fee required by BCC 51.830. Under BCC 51.820, this decision becomes effective upon expiration of the appeal period unless a timely appeal is filed. Contact Benton County

Community Development, 4500 SW Research Way, Corvallis, Oregon 97333, 541-766-6819, for the appeal form, current fee, and filing information.

Appeal deadline: October 4, 5:00 p.m.

____Petra Schuetz_____
Petra Schuetz, Planning Official
Date: ___09.18.26_____

APPENDIX

EXHIBIT A

Application Materials

Application Administrative Amendment CUP Snack Time Trail_04232026(1).pdf

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

Office: Kalapuya Building
4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819
www.co.benton.or.us/cd

LAND USE APPLICATION
CONDITIONAL USE PERMIT

File # LU-_____
(OFFICE USE ONLY)

Fee: $_____
(SEE CURRENT FEE SCHEDULE)

ALL SECTIONS MUST BE COMPLETED BY OWNER, OWNER'S AGENT or APPLICANT. ATTACH ADDITIONAL SHEETS AS NECESSARY. COUNTY REVIEW WILL BEGIN WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE.

I. Property Owner Information

Name(s): Oregon State University Phone #1: _____
Mailing Address Peavy Hall #218 Phone #2: _____
City: Corvallis State: OR Zip: 97331 Email: _____

II. Applicant Information (skip this section if Property Owner is Applicant)

Name(s): Mark Swanson, OSU Research Forest Phone #1: _____
Mailing Address: Peavy Hall #218 Phone #2: _____
City: Corvallis State: OR Zip: 97331 Email: mark.swanson@oregonstate.edu

Other individuals to be notified of this application: Name, Address, City & Zip, or Email
Steven Hultberg, Radler White Parks and Alexander
shultberg@radlerwhite.com / 541-585-3697

III. Property Information

Site Address: No address
Assessor's Map & Tax Lot Number: T 11S S, R 5W W, Section(s) 5, Tax Lot(s) 115050000300
Acreage: 449.33 Zoning: FC Fire District: Oregon Department of Forestry
Water Supplied By: N/A Sewage Disposal Type: N/A
Existing Structures: No structures (existing forest and trails)
Current use(s) of the property: McDonald-Dunn Research Forest

IV. Request Summary (Example: **"**Conditional Use approval to operate a commercial kennel in the RR Zone.")

Administrative amendment to the existing approved conditional use permit (LU-16-077) to include the Snack Time Trail within the McDonald-Dunn Research Forest.

Attached Documentation: With all land use applications, the "burden of proof" is on the applicant to demonstrate how the proposal complies with the Benton County development code and other law. It is important that you provide **ALL** the information listed on the following pages at the time you submit your application. The processing of your application will not begin until the application is determined to be complete.

Conditional Use Criteria *Please answer each question in detail on a separate sheet of paper.*

1. Describe how the proposed use will not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

2. Describe how the proposed use will not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.

3. If the property is zoned Exclusive Farm Use (EFU) or Forest Conservation (FC), describe how the proposed use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.

4. If the property is zoned EFU or FC, describe how the proposed use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

5. Will the proposed use involve the use of water (plumbing facilities, bathroom, water for processing, etc.)? _____ If yes:
   a. Is there an existing well or spring on the proposed parcel(s)? _____ Please attach a copy of a well log or pump test, if available, which identifies the rated yield of this water source.
   b. Is there an existing septic system on the proposed parcel(s)? _____ An evaluation by Environmental Health may be required of an existing system unless the system was recently installed or repaired. Please attach a copy of any septic system records you may have available.

6. Is the only access or proposed access to the property via a road that crosses a railroad? _____
   If yes, please draw the location on your map and explain here: _____

Mitigating Measures *Please answer in detail on a separate sheet of paper.*

1. Describe any special measures you propose to undertake in order to minimize impacts on adjacent properties and public services, and to ensure compliance with the purpose of the zone. Consideration may be given to such features as: location of the use on the parcel; road capacities in the area; driveway location; parking area; on-site traffic circulation; landscape or fencing separations; size of structures; signs; exterior lighting; noise; air emissions; drainage and more.

Attachments

1. A copy of deed(s) covering the subject property.
2. A copy of all easements or other instruments granting access to any proposed parcel that does not have frontage on a public road.
3. An accurate scale drawing of the property, showing the locations of existing and proposed structures, roads, water supply, subsurface sewage system, easements, and driveways. Label all tax lots.

Signature(s)

Assessed Property Value Notice

This action or any future related action(s), if approved, may result in a change to my property valuation, and therefore the tax amount I pay annually. I will contact the Assessor's Office at 541-766-6855 to discuss and understand potential property tax impacts.

■ **I understand**

I hereby certify that I am the legal owner or contract purchaser of the above noted property; that the information contained herein is accurate to the best of my knowledge; and that the requested conditional use permit would not violate any deed restrictions attached to the property.

Owner/Contract Purchaser Signature — Date: 04/27/2026

Owner/Contract Purchaser Signature — Date

For Office Use Only

Date Application Received:_____ Receipt Number:_____ By:_____

File Number Assigned:_____ Planner Assigned:_____

Date Application Deemed Complete:_____

Applicant's Written Narrative
Administrative Conditional Use Permit

Date: April 27, 2026

Applicant: Oregon State University, College of Forestry, 3100 SW Jefferson Way, Corvallis, OR

Applicant's Representative: Radler White Parks & Alexander, LLP, PO Box 2007, Bend, OR 97709, Attn: Steven Hultberg, shultberg@radlerwhite.com, 541.585.3697

Subject Property: Snack Time Trail project is located within the McDonald-Dunn Research Forest. More specifically it is located within the SE ¼ of the NE ¼ of Section 07 and the SW ¼ of the NW ¼ of Section 08, Township 11S Range 05W, Willamette Meridian (Figure 1).

Property Description

The applicant represents Oregon State University, regarding the McDonald-Dunn Research Forest, which encompasses approximately 11,500 acres north of Corvallis within Benton County. The primary objectives for the land, which is operated by the Oregon State University College of Forestry, are to provide forest ecology and management research opportunities and to maintain a diverse range of forest conditions to support forestry and natural resources education at a variety of levels. The provision of recreational opportunities to the public is an ancillary, but nonetheless important, value of the Research Forest system.

This request, described herein, is specifically regarding the Snack Time Trail (Figure 1), which is located within the McDonald-Dunn Research Forest. The total trail length is approximately 4,950 feet (0.94 miles). The zoning of the trail area is within the Forest Conservation Zone (FC).



Figure 1. "Snack Time" trail map. Base layer is shaded digital terrain model. Roads are solid black lines (numbered). Image by Matt McPharlin, OSU Research Forest Staff, 08/21/2025.

Proposal Summary

The applicant seeks an administrative amendment to the existing approved conditional use permit (LU-16-077) to include the Snack Time Trail within the McDonald-Dunn Research Forest. As background, Benton County Planning Official determined that the addition of the Snack Time Trail is an administrative land use application submitted under BCC 53.150, using the approval criteria in BCC 53.215, and is narrow in scope to address only the Snack Time Trail re-route/redesign.

The objectives for the inclusion of the Snack Time Trail include the following:

- Increased access for forest inventory, fire suppression, and other management activities within a roughly 80-acre area that is not served by other roads or trails.
- Increased access for College of Forestry educational events, such as field visits by classes, and access to facilitate future research activity.
- Recreational access for the public. It should be noted that high levels of recreational use on the forest landscape facilitate early detection and reporting of fire starts (Leo Williamson, Oregon Department of Forestry, *pers. comm. 08/19/2025*), and furthermore it has not been noted to result in higher frequency of fire starts (ibid.). Trails, therefore, are an important part of the wildland fire-related infrastructure.
- Retiring an old, unauthorized, and sub-optimal trail segment, and replacement with a trail built to rigorous trail design standards for both safety and prevention of resource damage (e.g., erosion, impacts to culturally sensitive sites, etc.).

The trail, which is less than one mile in total length, is critical to create connections to the larger trail system and will enhance the forest management, recreational and educational activities within the McDonald-Dunn Research Forest. The applicant notes that while it is seeking approval for the Snack Time trail pursuant to this application, the applicant contends that conditional use approval is not necessary for recreational uses that are permitted outright pursuant to Goal 4 and Oregon Forest Practices Act provisions but is pursuing this application to resolve a complaint filed with the county. The applicant specifically reserves the right to argue in the future that specific recreational uses do not require conditional use approval.

Relevant Land Use History

In 2017, the previous Conditional Use Permit (LU-16-077) approved the phased plan and development of new trails and facilities, decommissioning of unauthorized trails, and improvements to the parking and restrooms area in select locations. This approval encompassed approximately 11,500 acres and 26 miles of trails of the McDonald-Dunn Research Forest. The approval was subject to conditions of approval that are found at **Attachment A.**

As noted, the proposed Snack Time Trail is intended to amend this Conditional Use Permit approval and add this small portion of trail to the larger authorized trail system.

Applicants' Response to Applicable Standards and Criteria

Applicable approval criteria are listed below in italics. Applicant's responses follow.

Compliance with Benton County Code Section 53.215, Conditional Use Permit Criteria

The decision to approve a conditional use permit shall be based on findings that:

1) *The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*

   Response: The McDonald-Dunn Research Forest is approximately 11,500 acres and includes 26 miles of trails and the addition of the Snack time Trail will blend with the character of the forested recreational area. The adjacent uses on the property include vast forest land and trails. The new Snack Time Trail will connect two different existing trails to one another -- Lower Play Time Trail and Uproute Trail.

   The purpose of the Forest Conservation Zone is to "conserve forest land, promote management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water and wildlife resources in the zone." The proposed trail will meet the intent and purpose of the Forest Conversation zone. The use of

the trail, like others in the McDonald Dunn Research Forest, include connections for active forest management, forest inventory, harvesting, fire suppression, educational opportunities, and recreational use. The McDonald Dunn Research Forest is actively managed by the OSU College of Forestry which centers on research and education in the practice of forestry.

Therefore, the proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

2) *The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and*

Response: The proposed trail is less than one mile and connects to other existing trails that have existing trailheads. Therefore, there will not be an impact or burden on public improvements, facilities, utilities, or services available to the area. The existing services are sufficient for this new trail and may help provide more direct connections to other trails that are not currently accessible.

3) *The proposed use complies with any additional criteria which may be required for the specific use by this code.*

Response: Compliance with additional criteria regarding the Conditional Use Permit are discussed further below.

Compliance with Benton County Code Chapter 60, Forest Conservation Zone

60.220 Conditional Use Criteria.

1) *A use allowed under BCC 60.205 or 60.215 may be approved only upon findings that the use:*

(a) *Will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;*

Response: The proposed trail will be built within a forested area that has been managed by the OSU College of Forestry for years. This trail connection will provide additional access to support forest management within the McDonald Dunn Research Forest. The Snack Time Trail proposed is simply relocating a previous trail that was approved in the initial Conditional Use Permit (CUP) application. That originally approved trail had significant erosion and needed to be relocated to a more viable location.

Based on the original CUP approval, the larger trail system was determined to have no significant change or increase of costs of forest practices on forest land. Therefore, the Snack Time Trail relocation would similarly have no impact or significant change, as it's still a part of the larger approved trail system.

Therefore, there will not be a significant change in or increase of the cost of accepted farming or forest practices on agriculture or forest lands.

(b) Will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and

Response: The addition of the Snack Time trail will provide increased access for forest inventory, fire suppression, and other management activities within a roughly 80-acre area that is not served by other roads or trails. The trail will also be constructed with rigorous trail design standards for both safety and prevention of resource damage. In addition, trails aid in fire suppression by providing routes for fire monitoring personnel.

Therefore, there will not be an increase in fire hazard, fire suppression costs, or risk to fire suppression personnel. Since trails can be used as a pre-existing fire break, it will actually reduce suppression costs in the event of wildfire. For example, back-fire or burnout operations can be initiated at a trail to create or broaden defensible space. Furthermore, suppression personnel are provided with rapid entry and egress when a well-distributed trail system augments the road system. Therefore, this trail will reduce potential suppression costs and facilitate effectiveness of fire suppression activities.

(c) Complies with criteria set forth in BCC 53.215 and 53.220.

Response: Compliance with the BCC 53.215 and 53.220 is discussed in other sections within this document.

2) *As a condition of approval of a conditional use permit, the owner shall sign the following declaratory statement to be recorded into the County Deed Records for the subject property on which the conditional use is located that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules, and that recognizes the hazards associated with the area: The property herein described is situated in the Forest Conservation Zone in Benton County, Oregon. The purpose of such zone is to conserve forest land, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, minimize conflicts with forest and farm uses, and protect the air, water, and wildlife resources in the zone. Residents may be subjected to customary forest or farm management practices which produce noise, dust, fumes, smoke, and other impacts. The resource nature of surrounding properties can result in herbicide and pesticide spraying, slash burning, timber cutting, farm operations, crown fires, hunting, use by big-game, bears, and cougar, and other accepted resource management practices. (Crown fires are fast-moving, high intensity forest fires in which the fire spreads from one tree crown to the next rather than only along the ground.) Resource uses are the preferred uses in this zone. Activities by residents can create management difficulties or increased costs for nearby farm or forest operations. Grantee acknowledges the need to avoid activities that negatively impact nearby farm or forest uses.*

In consideration for the approval by Benton County of the following use: _____, the grantee, including heirs, assigns and lessees, recognizes that such impacts are likely to occur, and agrees therefore that no action shall be brought at law or before any governmental body or agency involving the non-negligent utilization or continuation of accepted resource-management practices such as, but not limited to, the examples noted above. As used in this section, "accepted resource management practices" means a mode of operation that is authorized under the Forest Practices Act or necessary to a farm or forest operation to obtain a profit in money.

Response: This declaratory statement language was a conditional of approval for the original conditional use permit approval (LU-16-077). If required for this request, it is understood it may be a condition of approval.

Compliance with Benton County Code Section 53.220, Conditional Use Permit Conditions of Approval

53.220 Conditions of Approval. The County may impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code. On-site and off-site conditions may be imposed. An applicant may be required to post a bond or other guarantee pursuant to BCC 99.905 to 99.925 to ensure compliance with a condition of approval. Conditions may address, but are not limited to:

1) Size and location of site.
2) Road capacities in the area.
3) Number and location of road access points.
4) Location and amount of off-street parking.
5) Internal traffic circulation.
6) Fencing, screening and landscape separations.
7) Height and square footage of a building.
8) Signs.
9) Exterior lighting.
10) Noise, vibration, air pollution, and other environmental influences.
11) Water supply and sewage disposal.
12) Law enforcement and fire protection.

Response: It is understood that the County may impose conditions of approval for the request.

Compliance with Oregon Administrative Rules, 660-006-0025, Uses Authorized in Forest Zone

***1) Goal** 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as*

set forth in ORS 527.722 (Restrictions on local government adoption of rules regulating forest operations), the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are:
(*a) Uses related to and in support of forest operations;*

Response: The McDonald Dunn Research Forest supports uses related to forest operations. The OSU College of Forestry manages the forest as a dynamic working landscape that balances multiple values—supporting teaching, research, demonstration, sustainable timber harvest, ecological and forest health, and recreation.

(b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment;

Response: This trail will provide recreational and managerial access while being built to a high design standard.

(c) Locationally-dependent uses, such as communication towers, mineral and aggregate resources, etc;

Response: This is not applicable to this request.

(d) Dwellings authorized by ORS 215.705 (Dwellings in farm or forest zone) to 215.757 (Accessory dwellings supporting family forestry) (ORS 215.757 (Accessory dwellings supporting family forestry)); and

Response: This is not applicable to this request.

(e) Other dwellings under prescribed conditions.

Response: This is not applicable to this request.

4) The following uses may be allowed on forest lands subject to the review standards in section (5) of this rule:

f) Public parks including only those uses specified under OAR 660-034-0035 (Park Uses On Agricultural and Forest Land) or 660-034-0040 (Planning for Local Parks), whichever is applicable;

Response: The McDonald Dunn Research Forest is accessible by the public for recreation, although the main function is for educational purposes for the OSU College of Forestry.

5) A use authorized by section (4) of this rule may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use

compatible with forest operations and agriculture and to conserve values found on forest lands:

(a) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;

Response: Compliance with this item was addressed previously.

(b) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and

Response: Compliance with this item was addressed previously.

(c) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in subsections (4)(e), (m), (s), (t) and (w) of this rule.

Response: Compliance with this item was addressed previously.

Attachment A

UPDATED FOR 9/5/2017 PLANNING COMMISSION DELIBERATIONS REVISED CONDITIONS OF APPROVAL

(Staff-recommended changes from the 8/1/17 Revised Conditions reflected by **bold** for new language, ~~strikeout~~ for deleted language. New language proposed by the applicant is reflected by double underline. Additionally, revisions to conditions 3 and 4 proposed by Rosenberg, et. al. and the applicant are provided at the end of the list.)

Section 53.220 Conditions of Approval. The County may impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to ensure compliance with the purpose and provisions of this code.

The applicant shall adhere to the following conditions under the terms of approval of this conditional use permit.

1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment A, except as modified by the approval or the conditions below. Modifications to the Recreation Development Plan, other than those addressed through this decision, shall require approval through a Modification of a Conditional Use Permit request (BCC 53.225).

2. Pursuant to BCC 53.230, since the application is for a phased development plan, this conditional use permit shall be valid for ~~ten~~ five years from the date of decision. The applicant shall obtain all necessary permits and maintain compliance with all conditions of approval over the **five** ~~ten~~-year life of the phased development plan. If the applicant fails to obtain required permits within the approval period, or allows approved permits to expire after the land use approval has expired, then this land use approval shall be void. Any project not completed within the 5-year ~~10-year~~ period must be re-authorized through subsequent Conditional Use Permit approval. The approval may be extended for good cause at the discretion of the Planning Commission if a written request for extension is received by the Planning Official prior to expiration of the approval.

3. The following mitigation measures (a-d were proposed by the applicant) shall be completed within 3 years. ~~(Phase II), concurrent with proposed recreation facilities within the 0-3 year timespan.~~
    a. Improvements to Lewisburg Saddle parking
    b. A new vault toilet at Lewisburg Saddle
    c. Improvements to the horse trailer parking area north of Lewisburg Saddle
    d. Bike racks at popular trailheads (including Oak Creek and Lewisburg Saddle), of a number and type that can accommodate increased bicycle traffic as a means of transportation to the trailhead, in an effort to reduce car traffic (and accommodate reduced parking availability at Oak Creek). The number of racks to accommodate bike demand shall be reviewed periodically.

e. Post signs at the Lewisburg Saddle and Oak Creek parking areas with contact information to report illegally parked cars, loose dogs, and other safety hazards.
f. Develop a strategy to encourage alternative methods of transportation to trailheads, and discourage parking. Could include webcam of parking areas on website, parking fees, required carpooling, public information campaign, transit service, bike racks, etc.

~~No Phase III (3 years and beyond) projects (with the exception of Peavy Arboretum projects, which are permitted outright) may be initiated until all required Phase II mitigation measures are completed.~~

4. ~~Prior to development of the Oak Creek Beginner Loop, Oak Creek to McCullough Peak, or Oak Creek to Dimple Hill Trails in Phase III, the applicant shall: 1) reach agreement with Benton County Public Works staff regarding an appropriate methodology to study parking circulation and utilization at the Oak Creek Trailhead, 2) complete a parking study utilizing the approved methodology (prepared and stamped by a transportation engineer, licensed to practice in the State of Oregon), 3) design and construct any improvements identified in the study that would improve parking and circulation within the existing Oak Creek parking area (any work within the Oak Creek Road right-of-way will require County permit review and approval), and 4) if the study determines that parking usage exceeds the existing capacity at the Trailhead, the applicant shall develop an appropriate number of additional parking spaces on Forest property near the Oak Creek Trailhead, and/or shall implement a satisfactory package of parking demand management measures to address parking demand at the trailhead. Parking demand management measures may include carpooling, transit service, additional parking area development, parking fees, other measures, or a combination of such measures that would maintain an acceptable level of vehicular parking demand at the trailhead to minimize off-site impacts in light of available on-site parking~~.

Alternative Proposed by Applicant (and amended by staff):

The applicant shall, at their own expense:

1. By the end of 2018, develop a detailed site design for parking development at the Oak Creek Parking Area in cooperation with Benton County Public Works staff. This site design will expand parking within the physical capacity of the Oak Creek site and improve safety. The design will also identify physical measures to prohibit parking along the ~~1-lane~~ portion of NW Oak Creek Drive **that is not divided by striping between travel lanes**. Any work within the Oak Creek Road right-of-way will require County permit review and approval.
2. Implementation will include:
    a. By the end of 2018:
        i. Improved "loop" traffic flow with appropriate markings to allow vehicles to safely circulate through the site (minimize three-point turns, keep area clear for emergency vehicles, improve visibility, etc)
        ii. Additional safety improvements, including re-grading, re-paving, signs, markings/delineations

iii. Installation of ~~boulders or other~~ barriers **to prevent shoulder parking** at areas of neighbor concern on the west side of NW Oak Creek Dr.
iv. Develop strategy for enforcement and education, including education actions by OSU Research Forests staff and volunteers and enforcement through existing cooperative agreement with Benton County Sheriff's Department or alternative arrangements with Oregon State Police
v. Develop strategy and begin implementing complementary demand management measures to help reduce traffic at the site: examples could include - webcam of parking area on website, parking fees, required carpooling, public information campaign, transit service, bike racks, etc.

b. By the end of 2019:
i. Physical restrictions/limitations along east side of NW Oak Creek Dr. to prevent shoulder parking (knock-down bollards, guard rails, etc). Re-evaluate effectiveness periodically and add more barriers to the length of the road if needed.
ii. Signage **regarding parking locations** as developed by OSU, Benton County Public Works and law enforcement.
iii. Expansion ~~at~~ **of** Oak Creek parking area within the physical capacity of the site (what the site can accommodate)
iv. Installment of web-cam on-site to allow visitors to know if parking is available before driving to site.

5. Per BCC Section 60.220(2) the owner shall sign the following declaratory statement (on a form prepared, or approved, by Benton County Community Development staff) to be recorded into the County Deed Records for the subject property on which the conditional use is located that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules, and that recognizes the hazards associated with the area:

The property herein described is situated in the Forest Conservation Zone in Benton County, Oregon. The purpose of such zone is to conserve forest land, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, minimize conflicts with forest and farm uses, and protect the air, water, and wildlife resources in the zone. Residents may be subjected to customary forest or farm management practices which produce noise, dust, fumes, smoke, and other impacts. The resource nature of surrounding properties can result in herbicide and pesticide spraying, slash burning, timber cutting, farm operations, crown fires, hunting, use by big-game, bears, and cougar, and other accepted resource management practices. (Crown fires are fast-moving, high-intensity forest fires in which the fire spreads from one tree crown to the next rather than only along the ground.) Resource uses are the preferred uses in this zone. Activities by residents can create management difficulties or increased costs for nearby farm or forest operations. Grantee

acknowledges the need to avoid activities that negatively impact nearby farm or forest uses.

In consideration for the approval by Benton County of the following use: _____, the grantee, including heirs, assigns and lessees, recognizes that such impacts are likely to occur, and agrees therefore that no action shall be brought at law or before any governmental body or agency involving the non-negligent utilization or continuation of accepted resource-management practices such as, but not limited to, the examples noted above. As used in this section, "accepted resource management practices" means a mode of operation that is authorized under the Forest Practices Act or necessary to a farm or forest operation to obtain a profit in money.

~~6. County data indicates that the Fenders Blue Butterfly, an Endangered Species, may exist in certain locations within the McDonald-Dunn Forest. As a partner to Benton County's Fenders Blue Butterfly Habitat Conservation Plan, the applicant shall ensure that all work within the Forest is consistent with the Plan and with the Endangered Species Act.~~

Alternative Proposed by Applicant (and amended by staff):

OSU Research Forests will follow all applicable state and federal laws, including (but not limited to) the Endangered Species Act, National Historic Preservation Act, and the Oregon Forest Practices Act. **Additionally, OSU Research Forests will comply with all applicable requirements related to protection of the Fenders Blue Butterfly in Sections 87.300 through 87.340 of the Benton County Code.**

7. Prior to commencement of Phase II improvements, the applicant shall meet with County staff to determine if it would be possible to establish an emergency-only evacuation route for residents in the Oak Creek and Soap Creek areas through a designated route in McDonald Forest.

8. **A Letter of Authorization (no fee) is required for the proposed pit privy at Lewisburg Saddle on Sulphur Springs Road. The State of Oregon's regulations for pit privies may be found under OAR 340-071-0330, Nonwater-Carried Systems. Installation, operation, and maintenance of the pit privy must comply with applicable requirements.**

Testimony Provided by Dan Rosenberg, et. al., at 1:27 pm on August 19th (from Testimony Packet #4) proposes the following revisions to Conditions 3 and 4:

3. The following mitigation measures shall be completed within 3 years (a-c) or by January 31, 2018 (d-f):
    a. Improvements to Lewisburg Saddle parking
    b. Install a new vault toilet at Lewisburg Saddle
    c. Improvements to the horse trailer parking area north of Lewisburg Saddle
    d. Install bike racks at popular trailheads (including Oak Creek and Lewisburg Saddle), of a number and type that can accommodate increased bicycle traffic as a means of transportation to the trailhead, in an effort to reduce car traffic (and accommodate reduced parking availability at Oak Creek). The number of racks to accommodate bike demand shall be reviewed annually.
    e. Post signs at the Lewisburg Saddle and Oak Creek parking areas with contact information to report illegally parked cars, loose dogs, and other safety hazards.
    f. Develop a strategy to encourage alternative methods of transportation to trailheads to reduce vehicular traffic. Could include webcams or parking areas on website, parking fees, required carpooling, public information campaign, transit service, etc.

4. At Oak Creek, the applicant shall, at their own expense:
    a. By 1/31/2018:
        i. Develop an education and enforcement strategy, including education actions by OSU Research Forest staff and volunteers. Modify existing cooperative agreement with Benton County Sheriff's Department to enforce parking restrictions at Oak Creek, including the portion of NW Oak Creek Drive where bollards are installed. Enforcement is expected to occur periodically, at a frequency that provides sufficient deterrence.
    b. By 4/31/2018:
        i. Install knock-down bollards along east and west side of NW Oak Creek Dr. to prevent parking outside of fog line. Re-evaluate effectiveness periodically and add more barriers to the length of NW Oak Creek Dr. if needed.
        ii. Install signage as developed by OSU, Benton County Public Works, and Benton County Sheriff's Department to inform visitors of parking requirements and support enforcement.
        iii. Initiate installation of web-cam on-site to allow visitors to know if parking is available before driving to the site.
    c. By 12/31/2018:
        i. Construct improved "loop" traffic flow with appropriate markings to allow vehicles to safely circulate through the site (minimize three-point turns, keep area clear for emergency vehicles, improve visability, etc.)
        ii. Make additional safety improvements, including re-grading, re-paving, signs, markings/delineations as Applicant deems necessary
        iii. Maximize parking capacity within the existing footprint of the area currently used for parking on OSU property (approximately 13 marked parking stalls). Continue to allow shoulder parking for approximately 6 vehicles on OSU

property and approximately 3 vehicles *(on)* the appropriate section of Benton County*('s)* NW Oak Creek Dr.

The Applicant's Final Written Argument Provided on August 28, 2017, proposes the following revisions to Conditions 3 and 4. (It is County staff's understanding that the changes made between these conditions and those submitted by Rosenberg, et. al. were prompted by consultation with County Public Works staff and reflect a desire for improved clarity in implementation. Those changes are reflected by ~~strikeout~~ and underlined language:

3. The following mitigation measures shall be completed within 3 years (a-c) or by January 31, 2018 (d-f):
    a. Improvements to Lewisburg Saddle parking
    b. Install a new vault toilet at Lewisburg Saddle
    c. Improvements to the horse trailer parking area north of Lewisburg Saddle
    d. Install bike racks at popular trailheads (including Oak Creek and Lewisburg Saddle), of a number and type that can accommodate increased bicycle traffic as a means of transportation to the trailhead, in an effort to reduce car traffic (and accommodate reduced parking availability at Oak Creek). The number of racks to accommodate bike demand shall be reviewed annually.
    e. Post signs at the Lewisburg Saddle and Oak Creek parking areas with contact information to report illegally parked cars, loose dogs, and other safety hazards.
    f. Develop a strategy to encourage alternative methods of transportation to trailheads to reduce vehicular traffic. Could include webcams or parking areas on website, parking fees, required carpooling, public information campaign, transit service, etc.

4. At Oak Creek, the applicant shall, at their own expense:
    a. By 1/31/2018:
        i. Develop an education and enforcement strategy, including education actions by OSU Research Forest staff and volunteers. Modify existing cooperative agreement with Benton County Sheriff's Department to enforce parking restrictions at Oak Creek, including the portion of NW Oak Creek Drive where bollards are installed. Enforcement is expected to occur periodically, at a frequency that provides sufficient deterrence.
    b. By 4/31/2018:
        i. Install ~~knock-down~~ break-away bollards along east and west side of NW Oak Creek Dr. to prevent parking ~~outside of~~ inside the fog line. Re-evaluate effectiveness periodically and add ~~more barriers to the length of~~ additional bollards on NW Oak Creek Dr. if needed.
        ii. Install signage as developed by OSU, Benton County Public Works, and Benton County Sheriff's Department to inform visitors of parking requirements and support enforcement.
        iii. Initiate installation of web-cam on-site to allow visitors to know if parking is available before driving to the site.

c. By 12/31/2018:
    i. Construct improved “loop” traffic flow with appropriate markings to allow vehicles to safely circulate through the site (minimize three-point turns, keep area clear for emergency vehicles, improve visability, etc.)
    ii. ~~Make a~~ Additional safety improvements, including re-grading, re-paving, signs, markings/delineations ~~as Applicant deems necessary~~
    iii. Maximize parking capacity within the existing footprint of the area currently used for parking on OSU property (approximately 13 marked parking stalls). Continue to allow shoulder parking for approximately 6 vehicles on OSU property and approximately 3 vehicles *(on)* the appropriate section of Benton County*(’s)* NW Oak Creek Dr.

SNACK TIME TRAIL
682
680
870
683
685
Uproute Trail
6020
Lower Playtime
780
700
Snack Time (new)
770
771
7020
700
Stockpile
Playtime
7040
Vicinity Map
McDonald Forest
N

APPENDIX

EXHIBIT C

Complaint of Non-Compliance

Complaint of Non-Compliance OSU Conditiional Use Permit McDonald Forest_May 6 2025(1).pdf

Complaint of Non-Compliance
Oregon State University's Conditional Use Permit for Recreational Development at McDonald/Dunn Forest,
Benton County, Oregon LU-16-077

May 6, 2025

Submitted to:

Ms. Petra Schuetz
Benton County Development Department
360 SW Avery Avenue
Corvallis, Oregon 97333

Submitted by:

Daniel Rosenberg and Jennifer Gervais
Steve and Terri Cook
Jim Morrison
Doug and Lorraine Witzke

Dear Ms. Schuetz:

We are neighbors of the OSU McDonald Forest who live along the uppermost section of Oak Creek Drive from Tanager Drive to the access gate. We are submitting this complaint of OSU's non-compliance with OSU's Conditional Use Permit (CUP), approved by Benton County on September 5, 2017 as LU-16-077, for your review and to demand that OSU halt further trail development until they have an approved modification to the CUP.

The purpose of the CUP and the associated Conditions of Approval specifically for the Oak Creek watershed were meant to address safety and livability concerns along Upper Oak Creek Drive, while still allowing for recreation within the Forest. Upper Oak Creek Drive was never designed for the traffic speed and volume it currently carries, which is a direct result of recreational use of the forest.

Limits on parking, enforcement of those limits, and strategic trail development to limit increasing traffic were included in the conditions of approval. These conditions were developed collaboratively between the neighbors, Benton County staff, and McDonald Forest managers following the public hearings. The CUP made it very clear that trail development had to be limited to those included in the CUP and that those trails had to be completed within the five-year time span covered by the CUP. Further development after expiration of the original CUP requires a new CUP. Please refer to Exhibit 1.

The original CUP expired in September 2022. No new CUP has been initiated to our knowledge. However, in February 2025, OSU Research Forest initiated a new trail that is being designed and built by Team Dirt, the Forest's primary partner in mountain bike trail development. Team Dirt has named this new trail "Snack Time" (Exhibit 2).

OSU's failure to submit an application for review is out of compliance with the CUP and will result in a plethora of new trails without honoring the required public process. This bypasses the community's only opportunity to weigh in on land-use decisions that have significant impacts beyond OSU's property boundaries.

From a discussion one of the neighbors had with the Forest's interim director, Dr. Mark Swanson, it was clear OSU has no intention of working with the County to update the CUP regarding the trail now being built nor future trails.

The neighbors are not against additional trail development that is properly mitigated as they were in the original CUP; however, we expect and demand that OSU honors and complies with the CUP that neighbors, the County, and OSU worked hard to develop collaboratively. We request that Benton County submit a demand to OSU to halt new trail development until they have an approved modification to the existing CUP.

We look forward to hearing from you and we are glad to provide additional materials. Please correspond directly to Dan Rosenberg, danrosenberg.oregon@gmail.com, 541-224-2141.

Sincerely,

Dan Rosenberg and Jennifer Gervais, 8500 NW Oak Creek Drive, Corvallis, OR 97330

Steve and Terri Cook, 8600 NW Oak Creek Drive, Corvallis OR 97330

Jim Morrison, 8431 NW Oak Creek Drive, Corvallis, OR 97330

Doug and Lorraine Witzke, 8553 NW Oak Creek Drive, Corvallis, OR 97330

Exhibit 1

STAFF CONTACT: Kevin Young **FILE NUMBER:** LU-16-077

DECISION

This matter came before the Planning Commission in a public hearing held August 1, 2017. Due to the volume of testimony received, the Planning Commission decided to continue the public hearing to August 15, 2017. On August 15th the Planning Commission granted a request to hold the record open for one additional week, with the applicant allowed one additional week to submit a final written argument, per statute. On September 5, 2017, the Planning Commission returned to deliberate on the application. At the meeting on the 5th, the Planning Commission considered the record as a whole, then deliberated and reached a decision. The decision of the Planning Commission is:

To **APPROVE** the Applicant's request for a Conditional Use Permit for a phased plan for recreational development in the McDonald/Dunn Forest, based upon findings of fact, analysis, and staff conclusions in the staff report, oral testimony, and additional findings developed at the hearing, subject to the conditions of approval identified below.

The Community Development Department will objectively determine compliance with all conditions of approval. Physical development of the property is not authorized. except as specified to satisfy conditions set forth herein. All development on the property must be consistent with approved plans and any construction conditions set forth herein.

Based on the findings in the staff report and additional findings made by the Planning Commission, the Planning Commission has determined that the applicant's proposal meets relevant standards and criteria, and is hereby granted Approval, subject to satisfaction of the conditions listed below.

CONDITIONS OF APPROVAL

The applicant shall adhere to the following conditions under the terms of approval of this conditional use permit:

1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment A, except as modified by the approval or the conditions below. Modifications to the Recreation Development Plan, other than those addressed through this decision, shall require approval through a Modification of a Conditional Use Permit request (BCC 53.225).

2. Pursuant to BCC 53.230, since the application is for a phased development plan, this conditional use permit shall be valid for five years from the date of decision. The applicant shall obtain all necessary permits and maintain compliance with all conditions of approval over the five-year life of the phased development plan. If the applicant fails to obtain required permits within the approval period, or allows approved permits to expire after the land use approval has expired, then this land use approval shall be void. Any project not completed within the 5-year period must be re-authorized through subsequent Conditional Use Permit approval. The approval may be extended for good cause at the discretion of the Planning Commission if a written request for extension is received by the Planning Official prior to expiration of the approval.

3. The following mitigation measures shall be completed within 3 years (a-c) or by January 31, 2018 (d-f):
   a. Improvements to Lewisburg Saddle parking
   b. Install a new vault toilet at Lewisburg Saddle
   c. Improvements to the horse trailer parking area north of Lewisburg Saddle
   d. Install bike racks at popular trailheads (including Oak Creek and Lewisburg Saddle), of a number and type that can accommodate increased bicycle traffic as a means of transportation to the

Exhibit 2

Team Dirt's Post

Team Dirt
February 20 ·

Did someone say NEW TRAIL????

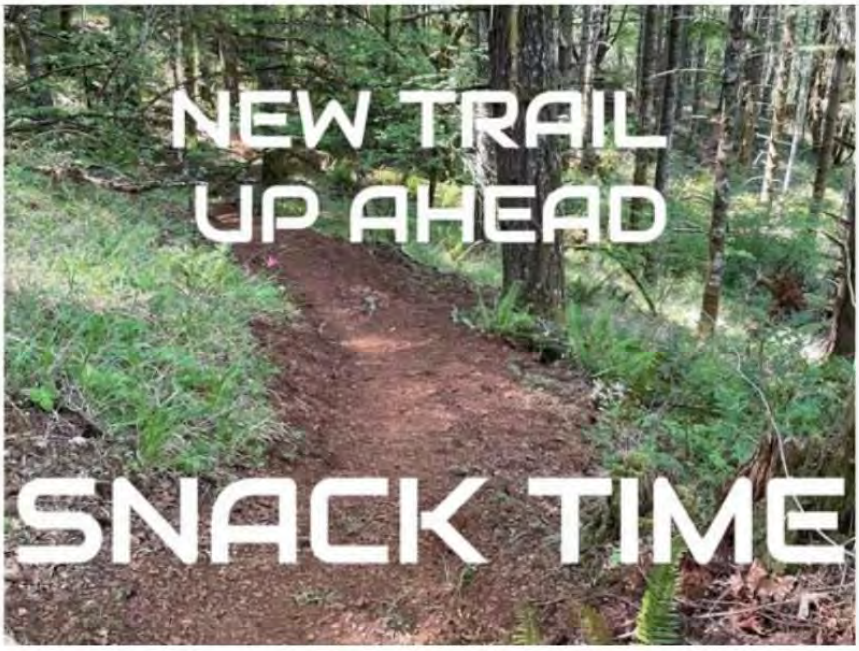
Join us this Saturday, Feb 22, 10am at the Oak Creek Trailhead as we launch into our next new trail in OSU's Mac Forest, Snack Time.

Snack Time will begin near the exit of Play Time, and connect users to Uproute near the top of Extendo. It will be a continuation of the form, fit, and function of Lower Play Time, meaning a multi-use, intermediate trail designed to be a fun descent while also being climbable. We've put a lot of work into the design thus far, and we're ready to start digging!

Sign up to volunteer at: https://volunteer.imba.com/opportunities/CrAiclgxTG

Find the rest of our build (and other) events at: https://teamdirt.org/Community/Calendar

See you on the trails!



APPENDIX

EXHIBIT E

Planning Official Process Letter

Letter OSU McDonald Dunn Forest CUP - 01.27.26(2).pdf

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819

co.benton.or.us/cd

Steven P. Hultberg
Radler White Parks Alexander, LLP
PO Box 2007
Bend, Oregon 97709
P 541.585.3697 C 541.420.1024
E shultberg@radlerwhite.com

From: Petra Schuetz, Planning Director | James Wright, Associate Planner
Date: January 26, 2026
Subject: McDonald Dunn Forest CUP | OSU

Steve,

Thank you for your patience. I wanted to follow up to outline a path forward for addressing **Snack Time Trail only**, based on the Planning Official's interpretation and our discussions.

As background, on September 18, 2025, the Planning Official issued a memo in response to a code compliance regarding an unsanctioned trail (Snack time) within the OSU Research Forest (McDonald–Dunn), which is subject to LU-16-077, the approved phased plan for recreational development in the Forest Conservation (FC) Zone. That memo explains that while trails are an outright permitted *use* in the FC Zone, trail systems and trail improvements are considered development and require land use review when they were not previously approved under the original Conditional Use Permit.

Following the memo, we met in October 2025 to talk through potential options, either focusing narrowly on Snack Time Trail or pursuing a broader proposal that would address multiple trails through a master planning or CUP modification process.

Based on that discussion and the Planning Official's interpretation that an Administrative land use application submitted under BCC 53.150, using the approval criteria in BCC 53.215, can be applied for to address only Snack Time Trail. This administrative review would be limited to formally recognizing and incorporating Snack Time Trail into the existing approval LU-16-077 and would not authorize or evaluate any additional trails. This application would be subject to public notice and provided to neighboring property owners, allowing comments specific to the proposal to include Snack Time Trail.

If OSU would like to include trails beyond Snack Time, that effort would need to move forward as a Conditional Use Permit modification, subject to Planning Commission review, consistent with BCC Chapter 60.215.

I've attached the September 18, 2025 Planning Official memo, the original land use approval (LU-16-077), and the relevant code sections, hyperlinked above, for reference. The full Benton County Development Code is also available on the County's website, and can be found HERE.

Thank you for your thoughtful consideration of this matter.

Regards,

Petra Schuetz
Planning Director

James Wright
Associate Planner

Cc: file

APPENDIX

EXHIBIT H-1

David Lewis

Comment on LU-26-030 CUP modification DAVE LEWIS.msg

EMAIL PUBLIC COMMENT

From: David Lewis <djlewis_10@icloud.com>
To: SWANSON John
Sent: Sun, 16 Aug 2026 18:54:40 -0700
Subject: Comment on LU-26-030 CUP modification

[You don't often get email from djlewis_10@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm writing to express my support for LU-26-030 CUP modification submitted by OSU. I'm a long time resident of Corvallis, I regularly use the McDonald Forest for recreation, I'm a Team Dirt volunteer for trail building, and I was a 3-year coach of the local NICA mountain bike team which comprises more than 120 middle and high school students. Building the new trail Snack Time is of utmost importance to many types of local outdoor recreation, including mountain biking, trail running and hiking. The proposed trail fills a gap between two established trails, Play Time and Extendo, thus providing a key piece of connectivity that will get local recreation users off a steep and hot gravel road section and onto a trail. The local NICA mountain bike team of kids will use the trail extensively, along with many regular local users. It will thus help facilitate an important outdoor recreation opportunity that will contribute to the physical and mental health of the community. I urge you to approve the proposed modification.

Best,
Dave Lewis
5948 SW Banyon Cir
Corvallis, OR 97333

Sent from my iPad

APPENDIX

EXHIBIT H-2

Jim Fischer

File Number_ LU-26-030 - Snack Time Trail Addition JIM FISHER.msg

EMAIL PUBLIC COMMENT

From: Jim Fischer <jamez.fischer@gmail.com>
To: SWANSON John
Sent: Sun, 16 Aug 2026 06:08:00 -0700
Subject: File Number: LU-26-030 - Snack Time Trail Addition

You don't often get email from jamez.fischer@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Swanson,
My name is James Fischer. My wife, Heather Paris, and I live at 7805 NW Hope Dr, Corvallis, OR 97330, just off of NW Oak Creek Drive and about 1/4 mile from the Oak Creek Gate.

We are avid cyclists and have been involved in mountain bike trail construction & maintenance, organizing & leading cycling clubs, organizing cycling events (including the Mudslinger Mountain Bike Race when it was held in Mac/Dunn in the late '90s).

We purchased our house almost 20 years ago after seeing the "for sale" sign as we drove home from riding at Oak Creek with our dogs.

Suffice it to say that we not only enjoy the forest, but we have made significant life choices demonstrating just how much we appreciate this resource.

I have worked on many trails with Team Dirt including Snack Time. This particular trail is a strategic addition to the trail system between Oak Creek and McCulloch peak that will augment bi-directional travel options in the area and will disperse usage in this portion of the forest. It also bypasses the heavily used and somewhat dangerous legacy Endo trail.

The trails constructed by Team Dirt have been replacing legacy moto-created trails "built" back in the '70s and '80's with bi-directional dirt surface options for riders of various skill and fitness while also being openly shared with all users.

I mostly encounter hikers and trail runners, more so around the time of year prior to the ultra trail running races held on the Forest, but equestrians would certainly be welcome and features the would preclude them are removed (like low-hanging "ride-under" trees).

These trail generation activities are irreplaceable learning and volunteering opportunities for the new generation of trail users who come out with us to build and maintain these trails to see how these resources are made. It is critical learning for them. (And it's fun building trails for everyone to use.)

The trails designed by OSU and Team Dirt focus on safety, year-round access where prudent, and are for everyone to use. Our trails provide an experience that is unique to the regional Willamette Valley dirt trail systems as compared to options on Bald Hill, Chip Ross, Mary's Peak, Alsea Falls or Blackrock.

I hope you endorse the addition of this trail to the limited use permit for OSU so that we may continue the legacy for this very special recreation opportunity.

Kind regards,

Jim Fischer
7805 NW Hope Drive, Corvallis, OR 97330
603.277.0355

APPENDIX

EXHIBIT H-3

Joseph Doty

I support LU-26-030 CUP JOSEPH DOTY.msg

EMAIL PUBLIC COMMENT

From: jwdody@gmail.com <jwdody@gmail.com>
To: SWANSON John
Cc: Joe Dody
Sent: Sun, 16 Aug 2026 15:34:56 -0700
Subject: I support LU-26-030 CUP

You don't often get email from jwdody@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi John,

I want to express my support to modify the existing Conditional Use Permit LU-16-077 to include the Snack Time trail.

I'm a long-term mountain biker in the Mac, Dunn, and Starker Forests (now age 66 but going strong). I and many others have benefited from having great trails to ride locally. I appreciate the support OSU provided in numerous ways over the years to facilitate the use of their research forests for recreation.

One of the challenges is recreating in research forests, from the recreational perspective is that trails have to be re-built or new trails created when sections of the forest are logged. The proposed trail is nice addition to the current portfolio of trails.

Joseph (Joe) Dody

4878 NW Bruno Pl

Corvallis, OR 97330

APPENDIX

EXHIBIT H-4

Oak Creek Neighbors, submitted by Dan Rosenberg

LU 26-030 CUP Testimony of Oak Creek Neighbors_14 August 2026_Submitted DAN ROSENBERG & NEIGHBORS.pdf

Ms. Petra Schuetz and Mr. John Swanson
Community Development
Benton County
4500 SW Research Way
Corvallis, OR 97333

Emailed to:
petra.schuetz@bentoncountyor.gov
john.swanson@bentoncountyor.gov (per Notice)

Date Submitted: August 14, 2026

RE: Written Testimony on Oregon State University's Application for a Modification of Conditional Use Permit; Reference File # LU-26-030

Submitted by:

Dan Rosenberg and Jennifer Gervais
8500 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Steve and Terri Cook
8600 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Jim Morrison
8481 NW Oak Creek Dr.
Corvallis, OR 97330

AND

Doug and Lorraine Witzke
8553 NW Oak Creek Drive
Corvallis, OR 97330

We are the residents along upper Oak Creek Drive, between Tanager Drive and the access gate to McDonald Forest. We wish this response to be entered into the record regarding LU-26-030, OSU's request for approval of a new mountain bike trail as part of their Conditional Use Permit (LU-16-077). We have also appended additional documents that support our testimony and address concerns over OSU's failure to adhere to the original conditions of approval, to ensure the record of this issue is as complete and accurate as possible given the short notice.

Limited Period for Public Comments and Error Within Notice Undermines the Process

First, we note we were given only 9 days, and only 5 full business days, to respond to this request: neighbors received the Notice by mail on August 7, with a deadline of 5 pm Sunday, August 16. That was insufficient time to (1) consult with legal counsel that we have retained in the past regarding the 2017 Conditional Use (CUP) permit, (2) to retain an expert to address incorrect statements by OSU regarding fire risk/access and trails, or (3) to provide complete data demonstrating our assertions. The Notice also contained factual errors, stating the trail as "proposed" when in fact the trail is either completed or near completion in violation of the CUP (Exhibit 1, Letter from County to OSU). We requested by email and by phone an extension of time, and was only given, through a phone call, one additional day because the deadline's date was on a Sunday. The short notice, in mid-summer when many are out of town, undermines the requirement of a legitimate public comment period.

Administrative Review is Insufficient for Public Input In This CUP Application

Public participation is the very first goal of Oregon's land-use planning laws. This is why the Conditional Use Permit system exists in the first place, and the Conditional Use Permit process is designed exactly for cases such as these. OSU has already agreed to a Conditional Use Permit in the past, demonstrating that OSU also sees recreation as an ancillary use subject to the Conditional Use process. Although a single mountain bike trail is presented in the notice, OSU made clear their intention to expand the trail system and to avoid the CUP process in the future.

Administrative Review allows the Benton County Director of Community Development to make a decision regarding OSU's application when no discretion is required. Complicating this process, however, is that the recently hired Director was OSU's land use planner who was assigned to represent OSU on this particular case- OSU's violation of the 2017 CUP.

We respectfully request that the County deny OSU's application rather than waive away the violation of noncompliance of the 2017 CUP. OSU indicated in their application their intent to expand the trail system- the current application addresses the trail "Snack Time" in isolation of their intended expansion. We request that if additional trails, including "Snack Time," are desired, that the County require OSU to submit a new Conditional Use application and allow a public hearing in front of the Planning Commission.

OSU's Violation of the 2017 Conditional Use Permit

The Oregon State University McDonald-Dunn Research Forest (hereafter OSU) has allowed the construction of a new trail, Snack Time, that has largely been completed by their partner non-profit organization Team Dirt (https://www.teamdirt.org/bylaws). The construction of the mountain bike trail on the Research Forest (Exhibit 2, Team Dirt inviting volunteers to help build Snack Time trail) was in direct violation of the existing CUP, which states very clearly that no new trails will be built without the submission of a new CUP. The fact that OSU alleges it replaces a trail not formally authorized is immaterial (Exhibit 1, County letter to OSU). This follows a warning by the County to OSU to not build any new trails without authorization from the County (Exhibit 3, email from the County to OSU). OSU was well aware that this trail was being built by their partners, Team Dirt, during its construction, which involved a large number of volunteers, equipment, and time, but OSU states in their application to the County that a CUP is no longer required.

OSU's Application Fails to Address County Codes That Impact Other Properties

Further, to approve of this application, the County would need to violate BCC 53.225, Modification of a Conditional Use Permit. OSU fails to provide justification for changing the permit and fails to identify any changing circumstances. The code is clear: "Such application shall be processed as a new request for a conditional use permit. [ORD 26; ORD 90-0069]".

BCC 53.205 states, Conditional uses are a land use which may have an adverse effect on surrounding permitted uses in a zone. BC53.215 provides the criteria:

(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or the purpose of the zone;
(2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and
(3) The proposed use complies with any additional criteria that may be required for the specific use by this code.

Code section BC 53.215 is not meant to refer to the impacts of ancillary uses on the forest lands on which those uses are occurring, but to the surrounding properties. The applicant fails to note that there are, in fact, dozens of houses surrounding the forest, and that the closest access road in particular runs through a residential neighborhood.

The 2017 Conditions of Approval Were Intended to Improve Safety from Increased Traffic

The original CUP's conditions of approval were meant to mitigate the impact of hundreds of cars a day on upper Oak Creek Drive, particularly the last stretch north of the intersection with Tanager Drive. As is well known, the road was never designed for the traffic it now carries, and has below-standard curve radii, blind spots, and no shoulder (Exhibit 4, Benton County Public

Works report). It is barely wide enough for a standard fog stripe, and the edge of one section, along the Hesthavn property, is eroding away, undercutting the pavement (Exhibit 5, Edge Lane Road report). Technically it is a two-lane road, but when two cars are passing each other- or a logging truck is present (Exhibit 6, photograph with log truck and vehicle), there is no room for pedestrians on the roadway (neighbors exercising their dogs or just out walking) or cyclists (Exhibit 4, Benton County Public Works report; Exhibit 6, photograph of road situation).

The Conditions of Approval in the CUP were designed to reduce traffic loads by controlling demand through reduction of parking. Since the CUP, and in recognition of the risks to vulnerable users (bicyclists, runners, pedestrians) on this road, the County installed several warning signs but the County was unable to make substantial changes proposed in their traffic calming report (Exhibit 4; Benton County Public Works report).

OSU's Application Misrepresents Fire Risk

OSU states that the trail system, including the trail Snack Time, were built to increase access for fire control and for students on class trips to the Forest and therefore argue that OSU does not need to comply with the CUP nor apply for a new CUP to build additional trails. These statements flagrantly misrepresent the intent of the trails, trails that have been built largely by volunteer recreationists, primarily members of Team Dirt (https://www.teamdirt.org/bylaws). Trails they build are intended to be fun at different experience levels; Snack Time was intended to be an intermediate trail with a "fun descent" (Exhibit 2, trail description by Team Dirt). If the County had provided sufficient time, we would have brought in an expert in fire risk management in recreation areas to provide testimony. However, it is obvious the trails within McDonald Forest are designed for recreation, not fire access. OSU's adjacent property, Dunn Forest, is a commercial forest with few trails, and OSU has not shown interest in expanding trails there. Similarly, Starker Forest has only reluctantly allowed Team Dirt to build trails on their property with no intent on access by those fighting fires (https://starkerforests.com/news/starker-forests-taking-measures-to-stop-unauthorized-trail-building-and-use/ ; accessed 8/12/2026), and most other commercial forests also do not include an extensive trail system. If trails were built for fire access, they would be built with as little "fun" as possible. Further, if trails were built for student access on class trips, as OSU states in their application, they would be built by OSU, not Team Dirt, and they would be built for ease of travel given some students with limited mobility. It is obvious that OSU's statements that trails on their property are built for fire access and class outings is intended only to bypass the CUP process.

To the contrary, neighbors are greatly concerned with the increased fire risk brought on by unregulated, unenforced parking and the proliferation of cigarette butts along the road and in OSU's parking lot. Several of us have confronted smokers in the parking lot and within the

forest boundary during periods of high fire danger. The more vehicles coming up the road, the greater the risks especially when they park illegally along vegetated sections of the road, which happens frequently (Exhibits 6 & 7). A fire starting from a cigarette tossed into the dry grass at the parking lot will reach our homes within minutes.

This is not just a safety concern for local residents: forest users may be miles from the trailhead and on foot, with limited options to get to safety. If people do reach their cars in case of a wildfire requiring evacuation, their vehicles will add to the burden of traffic from existing households trying to get out of harm's way. There are roughly five hundred households on Oak Creek Drive, Cardwell Hill, and associated side roads. There is one public access road out. All other egress routes, even the designated evacuation routes, are blocked by locked gates. Ideally, appropriate personnel with keys will arrive in time to unlock those gates. However, wildfire conditions are rarely ideal. We feel these risks must be dealt with in an open, public process which would be required for a new Conditional Use Permit. Closures of parking in recreation areas in Eugene provide an example of precautions taken nearby (https://www.klcc.org/disasters-accidents/2026-06-02/citing-fire-danger-eugene-closes-parking-lot-at-skinner-butte-summit-for-the-summer). The 5-business-day notice did not allow us time to expand this documentation or retain an expert to provide comment.

Failure of OSU to Continue Adequate Parking Enforcement

OSU has ceased to contract with Benton County Sherrif's Office for parking enforcement, as was agreed to in the CUP (Condition of Approval 4.a.i) and that was key to reducing illegal parking following the 2017 CUP. Previously, monitoring by the Sheriff's office, after a few tickets were issued, was a sufficient deterrent. OSU has never posted signs indicating whom to contact at OSU to report illegally parked cars and other hazards (Condition of Approval 3.e and 4.b.ii). It is now up to local residents to call the County for enforcement of parking restrictions; when parking restrictions are not enforced, people rapidly start to park outside of designated areas, impeding emergency vehicle access and parking over long dry vegetation. Enforcement has occurred when we report parking violations, and if an officer is available, but that is neither our job nor do we have the ability to monitor parking. Violations are often flagrant: a deputy from the Sheriff's office recently ticketed two vehicles on May 3, 2026 following one of the neighbor's calls (Exhibit 7, photograph of car and trailer in roadway). The deputy commented to one of us that the situation with traffic and the narrow road without a shoulder, and all of the bicycles and pedestrians is "...an accident waiting to happen here." Being enforcers is an undue burden on the neighbors. Not doing so creates an even greater burden of risk, however, one that is increasing with increasing recreational use pressure. Additional trails increase demand.

The lack of enforcement of existing restrictions needs to be addressed before OSU creates more trails, which has already increased the appeal of the site for recreation not only locally but from

afar as well. Appropriate mitigating actions for any further trail development, including Snack Time, the trail built in violation of the CUP, must be deliberated at a public hearing for a new or modified Conditional Use Permit.

We are not objecting to the existence of recreational opportunities on the McDonald-Dunn forests. Recreation on forest lands is a permitted use, under OAR 660-006-0025 and BCC 60.005. Indeed, a number of us also access those lands for recreational purposes. However, we do object to the Research Forest's failure to comply with conditions of approval that it agreed to as part of the original CUP, and their current effort to erase a clear violation of those conditions. We also object to the attempt by OSU to prevent surrounding landowners to have access to any redress for any impacts their decisions may have on us. Further, we maintain that existing provisions, which are no longer enforced, are insufficient to protect us from heightened wildfire risk posed even by the current number of forest visitors, or from the risks of current recreational traffic that the road infrastructure has never been able to handle. Addressing these issues requires a new or modified Conditional Use Permit.

Concluding Comments

BCC 53.150 states that decisions that involve little discretion can be made at the administrative level. We argue that this decision does in fact involve significant discretion. OSU maintains in their application that they can ignore the past Conditional Use Permit and that they can construct trails without a CUP. Granting their request to authorize this trail they built in violation of their CUP with only administrative review, and despite the fact that they were warned by County staff to not build additional trails without County authorization (Exhibit 3, email from County to OSU) is not only inappropriate, it sets a precedent where the codes can effectively be ignored. Further, this decision must be considered in the context of the previous Conditional Use Permit and the failure by OSU to abide by the conditions of approval in that document, both previously and currently.

We request the County to reject OSU's application for an Administrative Decision and require an open public hearing in front of the Planning Commission for a modification or a new CUP.

List of Attached Exhibits (continued on page 7)

1. Letter from County to OSU regarding violation of the CUP by adding a new trail, Snack Time.
2. Team Dirt inviting volunteers to build Snack Time (Team Dirt website during build-out).
3. Email from County to OSU warning not to build new trails without authorization.
4. Benton County Public Works Department report on upper Oak Creek Drive safety issues.

5. Edge Lane Road report for upper Oak Creek Drive, authored by Michael Williams, leader in active transportation strategies with an introduction by the Neighbors Group.
6. Photographs of challenging safety issues along upper Oak Creek Drive.
7. Example of illegally parked car within the roadway, and over vegetation that increases fire risk and presents safety hazards.

Exhibit 1: Letter to OSU informing them of CUP violation and remedies.

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819
CD.bentoncountyor.gov

September 18. 2025

This memo addresses a Code Compliance inquiry by Daniel Rosenburg received May 6, 2025 regarding the Oregon State University Research Forest (McDonald-Dunn portion) LU-16-77 "phased plan for recreational development" within a Forest Conservation (FC) Zone. The property owner, Oregon State University allowed non-profit mountain biking trail stewards, Team Dirt, to construct a trail over an existing, unsanctioned trail section that was not included in the approved in the original Conditional Use Permit (CUP). The trail was improved for safety and accessibility but was not reviewed through a public process or authorized via CUP modification as required by Benton Couty Code. The property owner contends that making safety improvements to the informal trail is outright permitted recreational use; not requiring additional permitting.

After researching the original CUP and subsequent correspondence on the property, the following is determined. Yes, trails are outright permitted uses in FC *and* trail systems require land use approval. The unsanctioned or informal trails common in forests are sometimes considered prescriptive easements that do not trigger new development requirements. When a trail or accessway has been used openly, continuously, and adversely (without permission) for at least 10 years. Oregon courts have upheld these rights in cases like *Albany & Eastern Railroad Co. v. Martell*. However, these conditions do not automatically authorize improvements. Development includes physical changes to land, not just use. Benton County require permits for trail improvements, to safely mitigate for erosion, habitat, or public access impacts as well as ensure structural integrity obstacles, bridges, culverts, etc.

Under Benton County Development Code Chapter 53 (Conditional Uses) and Chapter 60 (Forest Conservation Zone), any physical development—including trail construction or improvement—that alters the intensity, location, or public accessibility of a use not previously approved in the CUP is considered a modification of the conditional use. This applies even if the trail follows an informal or previously existing path.

Per BCC 53.305 and 60.215, such modifications require prior review and approval through a public process to ensure consistency with the County's Comprehensive Plan, forest resource protections, and public interest.

The trail was constructed prior to the County receiving any formal inquiry, which precluded both public engagement and the County's opportunity to assess engineering or inspection requirements in advance. Given that the trail is already in place, and consistent with like (prebuilt and no apparent immediate life or safety hazard) land use and/or building compliance violations, the County will not be pursuing removal at this time.

To bring the property into compliance with applicable regulations, the owner(s) are required to submit a CUP Modification Application including a site plan, trail specifications and a narrative explaining the purpose and scope of the trail improvements including how all the 2017 Conditions of Approval were met.

As an alternative, the property owner(s) may choose to close and restore the trail to its native condition.

A CUP Modification process is quasi-judicial. Failure to comply may result in enforcement actions under BCC Chapter 31, including fines or orders to restore the site to its prior condition.

Conclusion: This interpretation affirms that trail development—even over an existing informal path—constitutes a land use action requiring CUP modification in forest zones per the original CUP permit. Benton County encourages voluntary compliance on this matter.

Petra Schuetz
Planning Official

James Wright
Associate Planner

CC: John Swanson- Code Compliance Coordinator

Team Dirt's Post

Exhibit 2: Team Dirt announcing new trail, Snack Time.

Team Dirt
February 20 ·

Did someone say NEW TRAIL????

Join us this Saturday, Feb 22, 10am at the Oak Creek Trailhead as we launch into our next new trail in OSU's Mac Forest, Snack Time.

Snack Time will begin near the exit of Play Time, and connect users to Uproute near the top of Extendo. It will be a continuation of the form, fit, and function of Lower Play Time, meaning a multi-use, intermediate trail designed to be a fun descent while also being climbable. We've put a lot of work into the design thus far, and we're ready to start digging!

Sign up to volunteer at: https://volunteer.imba.com/opportunities/CrAiclgxTG

Find the rest of our build (and other) events at: https://teamdirt.org/Community/Calendar

See you on the trails!

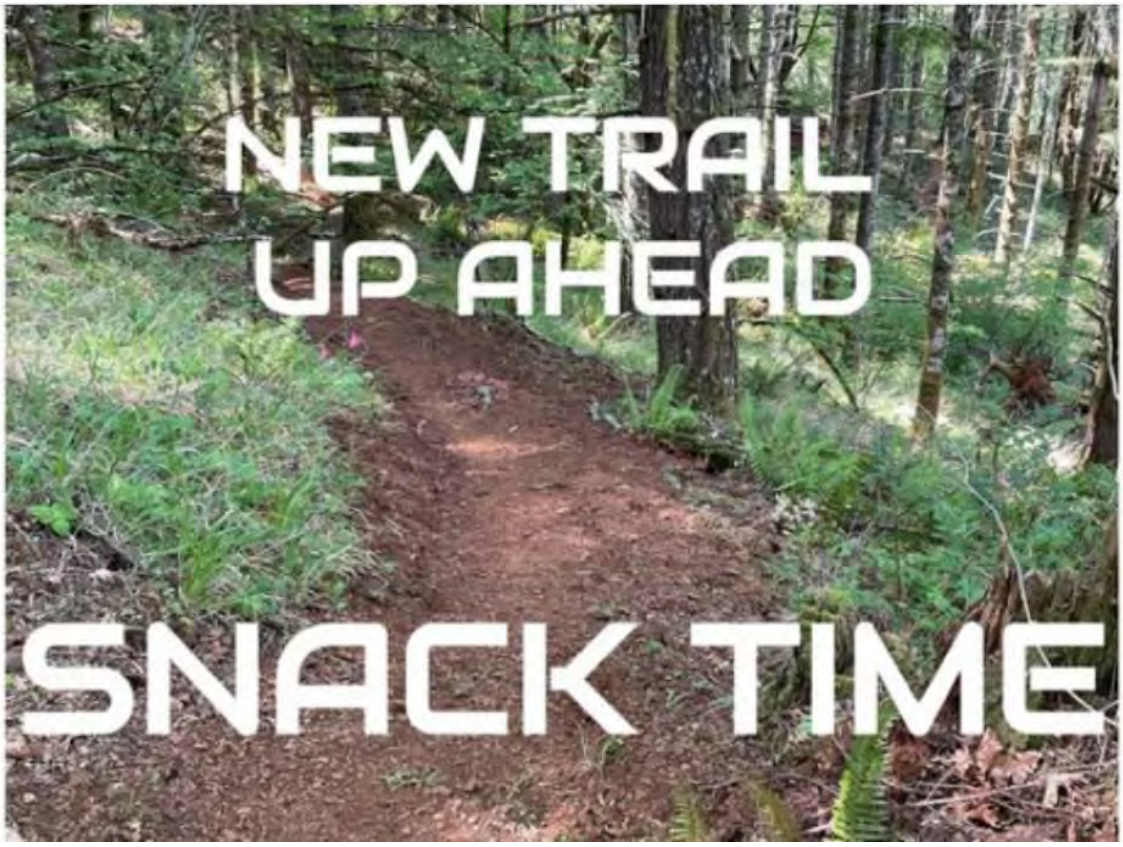


Exhibit 3: Email from County to OSU, 2020, warning of no new trails.

From: VERRET Greg J <Greg.J.VERRET@co.benton.or.us>
Sent: Monday, February 10, 2020 10:36 AM
To: Richardson, Robert <bob.richardson@oregonstate.edu>; Fitzgerald, Stephen Arthur <stephen.fitzgerald@oregonstate.edu>
Cc: WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>; TAYLOR Rebecca <Rebecca.Taylor@CO.Benton.OR.US>
Subject: Complaint alleging noncompliance with Conditional Use Permit

Steve and Bob,

With Ryan Brown's recent departure, I am unsure who to communicate with on this issue. Please let me know who the appropriate person is.

Benton County has received the attached complaint from neighbors of the OSU Oak Creek Trailhead. In short, the neighbors assert that OSU has failed to comply with the Conditions of Approval (also attached) of the Conditional Use Permit that authorized recreational improvements at the Oak Creek Trailhead and elsewhere. In addition to overall concern for safety due to increased traffic and usage of the trailhead, they identify three main conditions of approval with which they believe OSU has failed to comply:

A. Not engaging Sheriff's patrol to enforce parking restrictions. [Condition of Approval #4a.]

B. Supporting and/or allowing development of additional trails on OSU property, and trails connecting to trails on Starker Forests property (which do not have conditional use approval). [Condition of Approval #1.] On this point, in a subsequent email, one of the complainants stated that "OSU is currently planning to build a new trail in mid-February (named "Bomb's Away" trail) and Starker Forest continues to expand trail linkages, all in the congested areas that create the traffic problems. These trails are being publicized broadly this month at a public talk at the Corvallis Library (https://oregon2.sierraclub.org/marys-peak)." The only trail development that is authorized is what was included in the conditional use permit. **Any additional trail development should be halted**, including trail connections to other landowners' trails or roads and including trails built by others with OSU's permission. **I request that OSU address this point in a reply to me as soon as possible.**

C. Not implementing a strategy to encourage alternative methods of transporation to trailheads. [Condition of Approval #3f.]

Please respond to me as soon as possible regarding the assertion that trails beyond the Conditional Use approval are being constructed in February. For a more complete discussion of the situation I would like to set up a meeting in the near future, so please let me know who should be involved from OSU and we will coordinate.

Thank you for your cooperative engagement on this issue.

-Greg

Greg Verret, Director

Benton County Community Development Dept

360 SW Avery Ave., Corvallis, OR 97333

541-766-6819 | www.co.benton.or.us/cd

Exhibit 4: Public Works report on recommended traffic calming measures for upper Oak Creek Dr. as an access route for OSU Forest.

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July 27, 2018

TO: Laurel Byer
County Engineer
Engineering & Survey Program Manager

FROM: Luis Gomez
Engineering & Survey Tech

RE: Traffic calming measures for NW Oak Creek DR. County Road #15500

Introduction
A meeting was held on 0411 2018 between Gordon Kurtz, Andrew Monaco, Steve Pilkerton, Stephen Fitzgerald, and Ryan Brown. One item of discussion was OSU proposals for traffic calming measures on the north end of NW Oak Creek Drive. Implementation of traffic calming measures required analysis which are summarized below.

Findings of fact
OSU research forests received comments expressing discomfort from citizens when biking to the South McDonald Forest. The NW Oak Creek Dr. roadway is an access route for the South McDonald Forest (Figure 1). The forests are laboratories managed by the Oregon State University (OSU) College of Forestry. The community, including bicyclists, are allowed to visit, recreate, and use the trails. However, at the intersection with NW Cardwell Hill Dr. (Milepost 1.918, Figure 2,) the NW Oak Creek Dr. bikelane ends. Oak Creek Dr. narrows between Cardwell Hill and the Trailhead forcing bicycles and vehicles to share the road. The roadway continues up to the Trailhead (MP 3.044, Figure 2) without a bike lane. As a result, pedestrian bicycle, and motorized vehicle comfortable driving and ease of use issues must be addressed. Implementation of traffic calming measures on NW Oak Creek Dr. is proposed to address these issues.

Analysis of alternatives
During meeting noted above some alternatives were proposed as possible solutions to the bicyclists' concerns. These issues are analyzed here with some additions. This analysis does not consider changes to the current pavement structure (surface widening was not proposed by OSU). Currently, the width of existing pavement structure, between the MP 1.918 to the MP 3.044, is approximately 22 ft. on average. It is not currently feasible to add bike lanes without altering the current traffic conditions or pavement width.
The alternatives are as follows:

1. **Implement new striping configuration with bike lanes on sides and "single lane in the middle for motor-vehicles":**
   This alternative considers implementing a single lane for motor vehicles and two bike lanes on each side between the MP 1.918 to the MP 3.044. According to AASHTO, the

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number of lanes should be sufficient to accommodate the design traffic volume. Single-lane roadways are recommended where traffic volume is less than 100 vehicles per day (AASHTO, 2001). Since the current traffic Average Daily Traffic (ADT) on this road segment is greater than 500 vehicles per day (According to a special study report developed by Benton County in 2017), the alternative of having a single lane in the middle for motor vehicles is not recommended because it does not meet AASHTO standards.

2. **Implementation of "Sharrows":**
   This alternative considers application of shared lane markings or "Sharrows" in order to instruct motor-vehicle drivers and bicyclists to share the roadway. The markings are proposed to be applied between the MP 1.918 to the MP 3.044. The Federal Highway Administration (FHWA) has demonstrated the effectiveness of implementing sharrows with experiments conducted in Cambridge, MA; Chapel Hill, NC; and Seattle, WA. The maximum speed limit for these analysis was 35 mph. Application of this traffic calming measure is viable at speed limits up to 35 mph. Benton County (2017) has performed classifier speed studies on Oak Creek Dr. between 10/10/17 to 10/17/17. The measured average speed, at the MP 2.01 of the NW Oak Creek Dr. was 32.6 mph, the 50% speed was 33.7 mph, and the 85% speed was 40.6 mph (Figure 3). Implementation of this measure is not expected to cause significant disturbances to the majority of vehicles. It is recommended that shared lane markings should not be placed on roadways that have a speed limit greater than 35 mph. The Manual on Uniform Traffic Control Devices (MUTCD, 2010b) outlines guidance for shared lane markings in section 9C.07.

3. **Implementation of "hill blocks view" signs:**
   According to The MUTCD, the hill blocks view signs may be used in advance of a crest vertical curve to advise roadway users to reduce speed as they approach and traverse the hill. These signs are recommended for implementation at some locations along NW Oak Creek Dr. because some vertical curves cause visibility limitations (e.g. at MP 2.15, Figure 4). The MUTCD (MUTCD, 2010b) outlines guidance for hill-blocks-view signs in section 2C.18.

4. **"Allow 6 in. creep" into the roadway at bollards:**
   This alternative consists moving the fogline stripe 6" into the roadway around the MP 2.95 (Figure 5) to the end of the roadway (MP 3.044). This measure will help keep vehicles clear of bollards installed in the shoulder as well as providing a buffer for maintenance.

Recommendations

In conclusion, there is a demonstrated need for traffic calming measures on NW Oak Creek Dr. roadway in order to provide a more comfortable travel experience for motorists and bicyclists, and pedestrians. Among the analyzed alternatives proposed by OSU, the implementation of the following combined measures are recommended:

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- Implement shared lane markings or "Sharrows" in order to alert/direct motor-vehicle drivers and bicyclists to share the roadway. The markings are proposed to be applied between MP 1.918 to MP 3.044 (i.e. end of the roadway.)
- Install "Hill blocks View" signs at locations along the NW Oak Creek Dr. where vertical curves cause visibility limitations.

County staff also has three further recommendations to assist with traffic calming on this roadway.

1. **Reduce of lane widths and add centerlines all the way from NW Cardwell Hill Dr. to Trailhead:**
   This is an additional alternative to those discussed at the meeting mentioned above. This alternative consists of reducing the lane widths to 9 ft. from MP 1.918 to MP 3.044 and painting centerlines to the end of the roadway. The objective of this measure is to reduce the current speed by altering the drivers' perception. Lane widths of 9 ft. are allowed in local roadways. The recommended lane-width range for local type roadways is between 9 to 12 feet (18 to 24 feet for pavement width) (AASHTO, 2011). According to the Oregon Department of Transportation (ODOT), there is a little change in driving speeds after lowering speeds with posted signs (ODOT, 2018). However, reduction of lane width has shown to reduce driving speeds. Studies from the U.S. Department of Transportation have shown free-flow speed reduction when existing lanes widths are narrowed (FHA, 2018, Table 1.) In summary, this measure consists on moving the fog line "creep" and add additional road edge shy distance to the roadway. This will also provide a more comfortable walking area for pedestrians.

2. **Application for 35 mph speed limit on this roadway:**
   With an 85% speed of 40.6 mph, road and roadside geometry and use patterns of mixed travel modes it is recommended the County apply for a 35 mph speed limit on this road segment from the intersection of Cardwell Hill road to the Trailhead.

3. **Paved shoulder widening to accommodate bike lanes or shoulder bikeway:**
   Although roadside geometry and existing right-of-way constraints make widening difficult, Benton County should begin to analyze costs and impacts of shoulder widening along this road segment given use pattern of the roadway.

The combination of these measures are expected to provide a more comfortable driving experience for all travel modes using this roadway.



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References

- AASHTO, 2001; *A Policy on Geometric Design of Highways and Streets*, Washington, D.C.: AASHTO.
- AASHTO, 1999; Guide for the development of bicycle facilities, Washington, D.C.: AASHTO.
- Benton County, 2017; *Special Speed Study Report*: OAK CRK S., Corvallis.
- FHWA, 2010a; *Evaluation of Shared Lane Markings*, FHWA, VA 22101-2296.
- FHWA, 2010b; *Manual on Uniform Traffic Control Devices*, FHWA.
- ODOT, 2014; *Speed Zone Manual*; Oregon Department of transportation ODOT Traffic-Roadway Section, OR.
- ODOT, 2018; *Speed Zone FAQs;* retrieved from: https://www.oregon.gov/ODOT/Engineering/TRSDocs/Speed-Zone-FAQ.pdf; 07/05/2018
- FHA, 2018; Use of Narrow Lanes and Narrow Shoulders on Freeways: A Primer on Experiences, Current Practice, and Implementation Considerations; retrieved from: https://ops.fhwa.dot.gov/publications/fhwahop16060/ch4.htm, 07/06/2018

Appendices

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Tables:

Table 1. Reduction in Free-Flow Speed FFS (FHA, 2018).

Average Lane Width (ft.)	Reduction in FFS, f_{LW} (mi/h)
≥12	0.0
≥11–12	1.9
≥10–11	6.6

Figures:

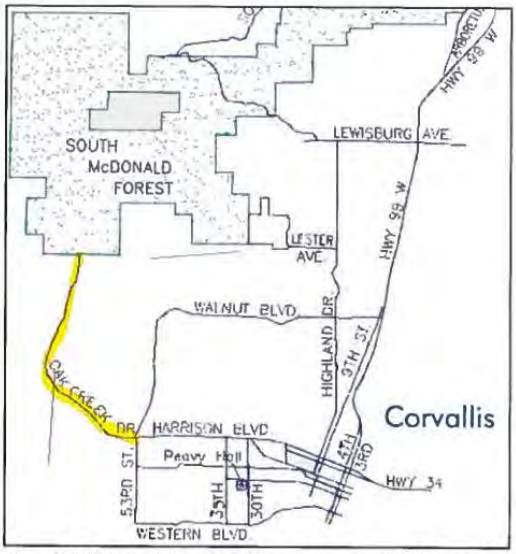

Figure 1. Access to the South McDonald Forest (Source: http://cf.forestry.oregonstate.edu/osu-research-forests-maps).

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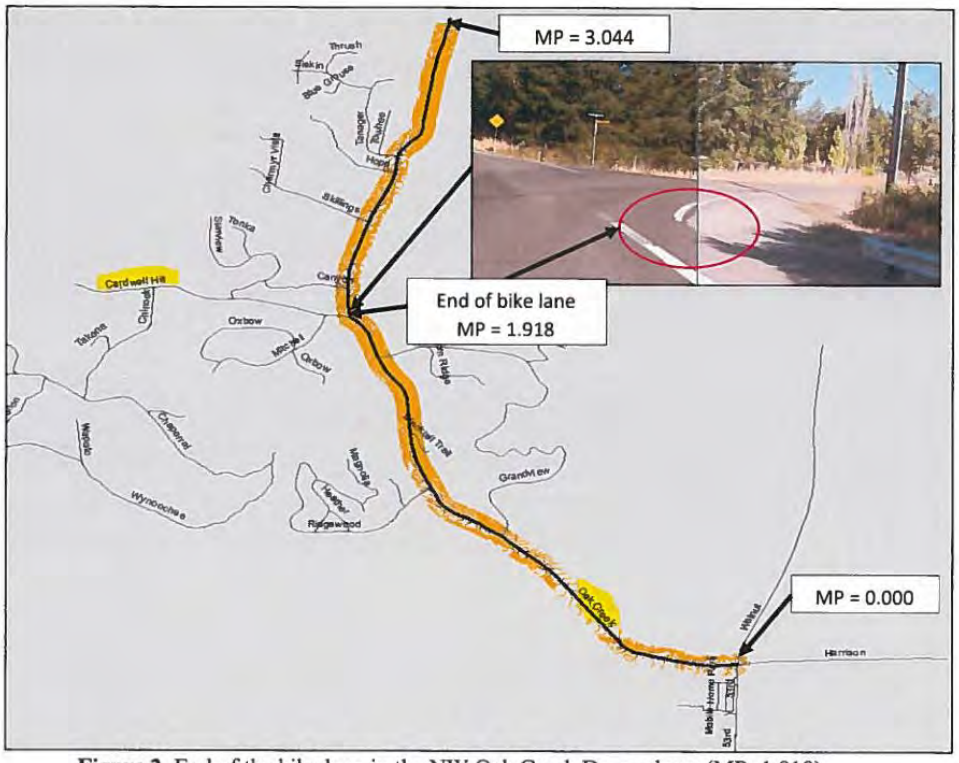

Figure 2. End of the bike lane in the NW Oak Creek Dr. roadway (MP=1.918).

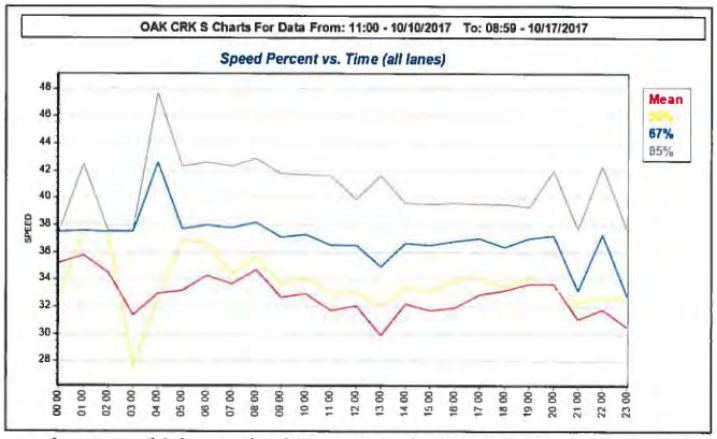

Figure 3. Measured motor-vehicle speed at MP=2.01 in the NW Oak Creek Dr. roadway. Measurement date: 10-10-17 to 10-17-17. Station ID: OAK CRK S. Number of Lanes: 2. (Benton County, 2017)

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Figure 4. Visibility limitations due to vertical curve approach (MP=2.15).



Figure 5. Roadway after the MP = 2.95, close to the end of the road (MP = 3.044).

Exhibit 5: Evaluation of upper Oak Creek Dr. for a an edge lane road safety treatment by engineer Michael Williams with an introduction by the Neighbor Group.

Increasing Bicycle and Pedestrian Access to Recreation Areas:

Proposal for an Edge Lane Road on Upper Oak Creek Drive

Submitted by:

Upper Oak Creek Neighbor Group[1]

Submitted to:

Benton County Commissioners
Xan Augerot
Pat Malone
Nancy Wyse

and

Joe Kerby
Benton County Administrator

[1] **Contact Dan Rosenberg: danrosenberg.oregon@gmail.com**

Increasing Bicycle and Pedestrian Access to Recreation Areas:

Proposal for an Edge Lane Road on Upper Oak Creek Drive

Benton County's 2040 Thriving Communities Initiative highlights the importance of recreation access for healthy communities. Recreation access contributes to economic vitality that can be sustainable with appropriate management. Encouraging safe and comfortable bicycle and pedestrian access is key to achieving these goals. However, traffic volume and speeds hamper attaining these goals, particularly on several of the key recreational areas near Corvallis that were never designed for such traffic. High traffic volumes and speeds result in fewer pedestrians and bicyclists feeling safe in accessing these areas, resulting in a catch-22 of increasing vehicular use to access recreation as users feel they must drive themselves (and often their bicycles), even when they live in nearby neighborhoods where bicycle and pedestrian access would be preferred. We hereby propose implementing a well-tested road design that will make recreation areas safer and more accessible for all users.

Corvallis has increasingly adopted safer street designs for all users, the so-called "road diet". Such an approach is needed outside the city limits, and nowhere is that more apparent than on upper Oak Creek Drive, a formerly gravel road that was primarily used as a route for timber harvest from McDonald Forest. The road was never designed for the current volume of vehicles, bicycles, pedestrians, and even occasional horseback riders. Benton County Public Works has identified the segment from Tanager Dr. to OSU Forest as the most challenging due to topography, a very narrow road segment, no shoulders, limited sight lines, and a high volume of vulnerable (non-vehicular) users. Almost all traffic on this segment is to access McDonald Forest, providing more options for innovative solutions. Public Works has been responsive in adding advisory signs to reduce speeds, yet the narrow road without shoulders remains uncomfortable for the large number of vulnerable users as well as the motorists who must navigate around them. During a neighborhood meeting, Benton County Public Works agreed that the Edge Lane Road (ELR) design may provide a solution to the otherwise elusive goal of improving comfort and safety for vulnerable users while providing greater access to the OSU Forest. See Page 3 for a description of an Edge Lane Road.

The Oak Creek watershed has experienced considerable development. There are several large-scale developments underway, and growth is expected to continue. Given the growth in areas that are within walking and bicycling distance, and the desire to engage in active transport, it is imperative we start exploring creative solutions to improve inclusive and safe access to our recreation areas. Edge lane roads provide a well-proven design and as the evaluation by Michael Williams demonstrates, upper Oak Creek Drive provides a great pilot study for Benton County.

To provide Public Works with community support to develop an ELR, we present this proposal along with community and professional endorsements, and an evaluation of upper Oak Creek Dr (attached) by a leading expert of edge lane roads, Michael Williams. We respectfully request the Benton County Commissioners ask Benton County Public Works to review implementation of the county's first edge lane road to support multi-modal transportation to a recreation site, increase recreation access by non-vehicle users, all the while promoting sustainable tourism.

Because of the low cost of both installation and reversal to its earlier design, the upper Oak Creek Drive ELR provides a great pilot study of incorporating an ELR in Benton County. Let's match our neighbors in Portland, and Port Townsend, WA, as well as all across the USA, and meet the challenge in the 2040 Thriving Communities Initiative for Benton County.

Endorsements and Edge Lane Road Advocates

Community

Corvallis Sustainability Coalition's Transportation Action Team (TAT) has been educating the community about the need to redesign some of our local streets to make them safer for bicyclists and pedestrians. Based on a presentation by member of the Upper Oak Creek Neighbors Group, members of TAT are supportive of having the County explore the installation of an edge lane road on upper Oak Creek Drive.

Oak Creek Valley Safety and Advisory Group

OCVSAG supports Benton County Public Works investigating the implementation of the ELR on upper Oak Creek Road segment.

Road Engineers

Anthony Buczek, Senior Traffic Engineer, Portland Bureau of Transportation. Designer of active transport and edge lane roads. Implemented edge lane roads in Portland, Oregon.

Laura Parsons, P.E., Civil Engineer. Port Townsend, WA. Ms. Parsons is a strong advocate of edge lane roads, and continues to implement ELRs in Port Townsend. She states in an email (approved to share and available upon request): *"We love our ELRs in Port Townsend, so I am happy to spread the word about them."*

Michael Williams, Transportation Consultant, specializing in active transportation. Authored the following section of our proposal, *Evaluation of NW Oak Creek Drive for an Edge Lane Road (ELR) Treatment*. Mr. Williams strongly supports implementing an edge lane road on upper Oak Creek Drive.

APPENDIX: What is an Edge Lane Road?

Imagine a narrow two-lane road without shoulders. An edge lane road simply uses a single center lane for both directions of travel, but now using the rest of the road width for a wide pedestrian/bike lane on both sides of the center lane. The center (traffic) lane is now devoted to vehicles rather than a mix of vehicles and bicyclists and pedestrians (*Figure 1*). Vehicles then use the bike/shoulder lane (="edge lane") to avoid vehicles coming in the opposite direction. On narrow two lane roads without shoulders and with high use by bicyclists and pedestrians, vehicles use this approach by default as they attempt to avoid bicyclists and pedestrians that are forced to use the traffic lane. Without the design of an edge lane road, however, such avoidance is chaotic placing pedestrians and cyclists at greater risk and discomfort that discourages such use-a regular occurrence at upper Oak Creek Drive (*Figure 2*).



Figure 1. Schematic of an edge lane road.



Figure 2. Example of traffic patterns similar to an edge lane road but without striping, causing chaotic use of roadway. Photo on upper Oak Creek Drive, near OSU Forest.

An edge lane road solves this problem, and at low cost because widening the road for bike/pedestrian lanes is not necessary. This design has been considered a great solution in cases similar to what we propose here. There are many examples across the country, and internationally as well. ELRs not only separate traffic from vulnerable users but also slow traffic.



Evaluation of NW Oak Creek Drive for an Edge Lane Road (ELR) treatment

Michael Williams

April 20, 2022

Evaluation of NW Oak Creek Drive for an Edge Lane Road (ELR) treatment

This document evaluates the possibility of an edge lane road treatment on NW Oak Creek Drive from NW Tanager Drive to Oregon State University's McDonald Forest's Oak Creek trailhead in Benton County, near Corvallis, OR. All references to NW Oak Creek Dr. include only this segment. For information on the ELR treatment, also known as advisory bike lanes, visit the website www.edgelaneroads.com. The current national status of the ELR treatment is described at the end of this report.

The impetus for this assessment is to create a roadway that is safer and more comfortable for vulnerable road users (VRUs) such as pedestrians and bicyclists. Benton County Public Works recognized this need (BCPW 2018).

The sources of information for this report are reviews of the road via Google Maps and Google Streetview, traffic volume and speed data reported by Benton County Public Works (BCPW 2018, 2019), as well as information provided by Oak Creek Drive resident Dan Rosenberg. No site visit was performed.

This report documents existing roadway conditions, describes concerns and opportunities for the road and ELR treatment, and provides supplemental information on the ELR treatment.

Existing Conditions

Setting

This segment of Oak Creek Drive is a dead-end road serving a trailhead that accesses Oregon State University's McDonald Forest. There are four residences and an Audubon nature center along its length. The trailhead is a popular destination for people traveling in vehicles, on bicycles, on foot, and occasionally by horseback. Seasonally, logging trucks and associated heavy machinery access the Forest via this road segment, which was the primary use of this road historically. Almost all of the traffic is to access OSU's recreation site.

Physical Dimensions

The segment of interest is approximately 2600 feet long and extends from NW Tanager Drive to the OSU trailhead. The road varies in width from 18 to 20 feet wide; for most of its length it measures 18-18.5' wide.

Roadside Conditions

The road presents as a typical low-volume, rural road with no improvements beyond the asphalt road bed. Prior to 2005, the roadbed was entirely gravel, consistent with its then prior use for logging activities. For most of its length, the road runs north-south across a hillside that slopes down from east to west.

The marked asphalt shoulders are minimal, i.e. 1' wide or less. The dirt shoulders are unimproved and consist of predominantly gravel or grass. The shoulders generally slope down to a drainage swale or slope uphill where terrain dictates. This ensures that vulnerable road users locate themselves in the travel lanes. This topography presents challenges to vulnerable road users wishing to avoid traffic – they either choose not to get off the road or they face a difficult time navigating steep, slippery slopes. A trailhead parking lot allows for approximately 25 vehicles.

The downhill side of the road is steep in some places indicating a potential for erosion and degradation of the asphalt edge. Degradation of the asphalt edge is hastened by vehicular loads near the roadway edge as is normal for a two-lane road like this. Damage from vehicular loads is significant when heavy vehicles such as laden logging trucks drive near the road's edge.



Figure 1 Drop-off at Edge of NW Oak Creek Drive

Pavement Markings

For approximately 625 feet at its southern end, the road is marked as a traditional two-lane road with edge lines at the edge of the asphalt roadway and a solid double yellow centerline. For the remainder of the roadway, the edge lines continue but no centerline is marked.

Signage

A number of speed advisory signs are posted along this road segment. They appear to be remedies for sight distance problems and the high proportion of vulnerable road users mixing with vehicular traffic on the narrow roadway.



Figure 2 Speed Advisory Signs

Road Users

There were 76 vulnerable road users on July 19, 2020 as measured by Mr. Rosenberg's camera footage. This consisted of 16 pedestrians and 61 bicyclists. Vulnerable road users comprised 22% of the road users on this day. This user profile resembles a combination of a shared use trail and a standard road. Such a high percentage of vulnerable road users demands action to create a facility that is safe for all users. The proportion of non-vehicle users is expected to increase with OSU's goal of increasing non-motorized access to reduce traffic congestion and parking limitations (OSU 2018).

Intermittent use of this road by logging trucks and heavy equipment is known but has not been characterized. No data is available on volumes or speeds for these vehicles. Heavy vehicles such as loaded logging trucks require significantly more stopping distance than passenger cars. This exacerbates any situation where a driver must avoid a vulnerable road user or other object in the roadway. This factor should be weighed in all judgements made regarding sight distance concerns on this road.

ADT and speed were measured by Benton County Public Works (BCPW 2019). An excerpted photo from that report showing the values for the 2 sites (MP 2.75 and MP 2.91) on this segment of NW Oak Creek Drive is provided below.

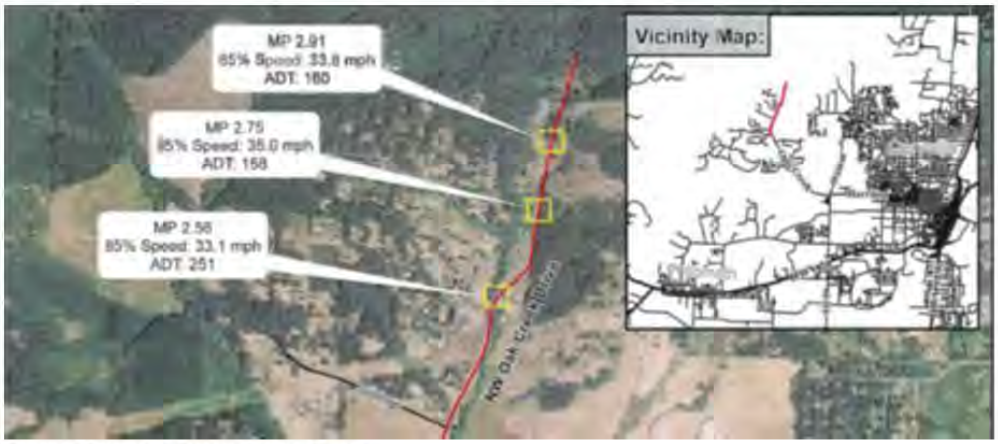

Figure 3 Excerpt of Benton County Report

The ADT values for this roadway segment ranged from 158 to 160 from February 1, 2019 to February 8, 2019 (Benton County Public Works 2019) and measured at 269 by Mr. Rosenberg on July 19, 2020 using camera counts. Because almost all of the traffic is to access the trailhead, daily use varies considerably.

Speed measurements from the County report (BCPW 2019) covering February 1, 2019 to February 8, 2019 show 85th percentile ranging from 33.8 MPH to 35.0 MPH.

Sight Distance

Sight distance is an important issue when considering a facility that requires vehicles traveling in opposite directions to share a single lane. At my direction, Mr. Rosenberg conducted sight distance measurements compliant with AASHTO Policy on Geometric Design of Highways and Streets guidance. A copy of his report on those measurements can be found in Appendix A of this report. One location along this road segment had a sight distance of only 184 feet in the southbound direction and an almost adjacent location had a sight distance of 210 feet in the northbound direction (Appendix A).

Concerns

Safety Problems

Because this road functions both as a shared-use trail and a standard road, the primary concern is the current danger faced by vulnerable road users.

85th percentile speeds of 33 to 35 MPH were measured and sight distances as low as 184 feet and 210 feet were measured. The stopping sight distance for passenger vehicles traveling at 30 MPH is 200 feet; for 35 MPH it is 250 feet. Stopping sight distances are greater for heavy vehicles. These facts

demonstrate that bicyclists and pedestrians are at danger of being struck from behind by motorists due to insufficient stopping sight distance. Whether or not an ELR is sited on this road, this safety risk should be addressed.

The presence of the speed advisory signs on NW Oak Creek Drive imply that Benton County is aware of the hazards and attempted to address them with signage. As Public Works is aware, and anecdotal evidence suggests, the strategy relying on signage is insufficient. The hazards remain despite the signage. An adequate solution is still needed.

Additionally, because this problem has been quantified and presented to the County, the County can be found liable for any fatality or injury that occurs on this road should no effective action be taken to address these dangers.

Many people are unaware of how quickly the probability of severe injuries and fatalities increases as speeds increase. Because the energy expended in a collision increases as a function of the square of the velocity (Kinetic Energy = ½ * Mass * Velocity^2), rates of injury and fatalities increase much more quickly than velocity increases.



Figure 4 Risk of Death for a Pedestrian Hit by a Vehicle, FHWA

As a corollary to the current hazards, the combination of these speeds and a narrow road create significant discomfort for vulnerable road users in encounters with motor vehicles.
The high proportion of vulnerable road users on this road segment and their required use of the travel lanes advocates strongly for a facility that supports safe and comfortable use for all road users.

Road Life and Maintenance Activities

Roads like this segment of NW Oak Creek Drive tend to fail inward from the edge. Vehicular loads at the edge of the roadway where support can be lacking, cause the asphalt to crack and fail. These cracks propagate inward, quickly reducing the life of the road. This decay is accelerated at locations with little physical support for the edge of the roadway and when it is required to support heavy vehicles such as loaded logging trucks and associated equipment.
Some portions of NW Oak Creek Drive exhibit degradation of the asphalt edge due to vehicular loads at locations with little to no shoulder support. This degradation is exacerbated by the periodic use of the road by logging trucks and other heavy vehicles.

Opportunities

Successful Examples of ELRs on Similar Roads

Two of the most similar examples of ELRs employed to support a shared-use trail function on a narrow rural road are known in the country. Both are successful. The first example, located in Vail, CO is exemplary for its successful handling of high volumes of non-motorists. The second example, located in Scarborough, ME is notable for the improved safety seen following its conversion to an ELR.

Vail, CO has installed an ELR on Vail Valley Drive. This street functions as an on-street connector for the Gore Valley Trail. Vail Valley Drive is 20-22' wide, similar to NW Oak Creek Drive. On one busy July day, Vail Valley Drive successfully handled 437 cars, 10 buses, 1,319 bicycles, 259 pedestrians, 34 Segways, and 14 golf carts.



Figure 6 Vail Valley Drive ELR with Trail Users



Figure 5 Vail Valley Drive ELR at tight corner

Scarborough, ME has also created a successful on-street connector for the Eastern Trail though it doesn't support the high volumes of trail users seen on Gore Valley Trail. Eastern Road was converted to an ELR in Summer, 2016. Its average rate of one vehicular crash per year observed in the preceding 14 years dropped to zero in the 4+ years following conversion. See https://www.advisorybikelanes.com/rural-edge-lane-roads.html for more information on the improved safety on Eastern Road following its conversion to an ELR. No data is available on the number of vulnerable road users or vehicles that use this road.

Traffic Calming Options

Vehicle speeds must be reduced at locations with insufficient sight distance to create a safe facility for all road users. Disregarding the slower speeds that may result from the ELR treatment itself, likely options for reducing vehicle speeds on NW Oak Creek Drive include at least the following:

1. Vertical Deflection: Speed bumps/humps/tables are cheap and effective. They reduce speeds and make locations with insufficient sight distance safe. They are easily designed so that fire trucks and heavy vehicles are not affected and passenger vehicles do not experience the sudden bang and disruption that common speed bumps produce.



Figure 7 25 MPH Gentle Speed Bump in Ashland, OR

2. Chokepoints: Physical narrowing of the roadway to a single lane, without affecting the travel of vulnerable road users is an effective way of reducing speed and mitigating locations with insufficient sight distance. They are particularly effective on ELRs at locations with insufficient sight distance or locations needing speed reductions. Chokepoints are more expensive than speed humps.



Figure 8 Chokepoint in Portland, OR

3. Signage: An ELR treatment is similar to many other facilities where a single lane supports two way traffic. Often these locations are treated only with signage. A ROAD NARROWS sign supplemented with an advisory speed plaque or a sign indicating two way traffic may be sufficient to slow drivers. Signage is inexpensive but less effective than physical countermeasures.



Figure 9 Potential ELR Signage

ELRs Improve Road Life

The ELR treatment helps with asphalt degradation problems. Because vehicles normally travel in the middle of the road, vehicular loads occur well away from the edge of the roadbed. This reduces edge degradation and extends the life of the roadway.

On roads with limited asphalt pavement depth, rutting caused by vehicular loads repeatedly using the same trajectory can also be a problem. Because ELRs cause drivers to travel down the road in more varied trajectories, rutting is reduced. The shallower the roadbed, the more important this effect becomes. Installing an ELR treatment on this road will likely extend the life of this roadway and reduce maintenance needs as compared to a standard two-lane configuration.

Official ELR Guidance – Applicability to NW Oak Creek Drive

Motor vehicle volumes on this road are very low and well within the limits established by federal guidance for the ELR treatment. The FHWA Small Town and Multimodal Networks (Federal Highway Administration, 2016) guide sets a preferred limit for motor vehicle volumes at 3,000 ADT and allows use up to 6,000 ADT. The low traffic volume on this road ensures that the rate of encounters between motor vehicles traveling in opposite directions will be low and the number of these encounters occurring in the presence of vulnerable road users will be extremely low. Simulations are available that can produce estimates of these encounters but these volumes are so low that these are not considered necessary.

The FHWA Small Town and Multimodal Networks (Federal Highway Administration, 2016) guide allows the use of ELRs on roads with speeds up to 35 MPH. The measured 85th percentile speeds meet this guideline.

Further, the installation of ELR markings has been found to produce traffic calming effects. The maximum effect seen with ELR markings is a reduction of 7-8 MPH. Other installations have seen speed reductions of less than 5 MPH.

Driver Education on ELR Treatment

One oft-raised concern about the ELR treatment is road user education and how best to address those drivers that are unfamiliar with the treatment. Research conducted among the approximately 60 American installations has shown that prior education is most useful in reducing the amount of backlash an agency may see after installation. A number of ELRs on low-volume roads similar to NW Oak Creek Drive have been installed without any public outreach whatsoever. Anecdotal evidence from those installations indicate that most drivers use the road appropriately and that drivers who are uncertain about the road's function drive at much lower speeds.

Summary

The traffic on NW Oak Creek Drive features a high percentage of vulnerable road users (measured at 22% of all road users). This use resembles a combination of a shared use trail and a standard road.

The road is narrow (18-20 feet wide) and sees relatively high vehicular speeds (85th percentile of 33-35 MPH). The narrow road and high speeds create an uncomfortable and unsafe road for all users.

The primary concern is the insufficient sight distances in some locations for the measured speeds. This creates the real possibility that motorists would not have enough time to stop should they encounter an object in the road such as a vulnerable road user, stopped car, animal, etc.
The vehicle speeds that underlie the sight distance problems also create an environment that is uncomfortable for vulnerable road users and greatly increases the likelihood of a severe injury should a collision occur.

The physical support for the asphalt roadbed is poor in some locations making this road subject to early degradation due to vehicular loads near the roadway edge. This is exacerbated by heavy vehicles such as loaded logging trucks.

Vulnerable road users and vehicles are forced to share the same travel lane thereby increasing the chance of a collision and giving rise to a high rate of uncomfortably close encounters.

The good news for NW Oak Creek Drive is that successful examples already exist that demonstrate a viable solution. Both Vail, CO and Scarborough, ME have created on-street facilities that also function as shared-use trails. These examples are some of the 60+ ELRs across the country that have successfully improved safety for roadways shared by VRUs and vehicles (Mineta, 2021).

The facts in this report regarding the use and setting of NW Oak Creek Drive, from Tanager Dr. to the end of the road where the trailhead begins, support an ELR configuration. ELRs provide exclusive spaces for motorists and VRUs except when two vehicles must pass. With the low vehicle volumes on this road, the rates of encounters between two cars in the presence of a vulnerable road users will be low.

Because there is no centerline pushing drivers to stay to the right, the ELR treatment increases the distance between vehicles and vulnerable road users during passing maneuvers. This effect has been observed in other North American ELR facilities.

Correctly designed ELRs have the potential to reduce vehicle speeds. In addition to helping with sight distance issues, reduced speeds also improve safety and create a more comfortable environment for vulnerable road users.

By moving vehicles away from the road edge, an ELR treatment will slow asphalt edge degradation, slow rutting, and extend the life of the roadbed.

An ELR treatment will support and help enforce behavior already seen on this road. Vulnerable road users travel on the sides of the road. Drivers “cheat” to the middle and negotiate with other drivers for space to pass (see image below).



Figure 10 Drivers and VRUs on Oak Creek Drive behaving as on an ELR

NW Oak Creek Drive is an excellent candidate for a properly designed edge lane road treatment. Proper design would address the sight distance issues described.

Whether an ELR is sited on this road or not, mitigation for the sight distance problems is needed. Remedies for these problem locations are discussed in the Traffic Calming Options section above.

National Status of Edge Lane Roads

Safety

As of March 1, 2022, there are at least 60 installations of the ELR treatment across the US.
None of the facilities have been associated with decreased safety or an increase in collisions. Recent research (Mineta, 2021) studied the safety of ELRs in the US. The study used the Empirical Bayes analysis method specified in the AASHTO Highway Safety Manual to study 11 ELRs over 8 years and more than 60 million motor vehicle trips found a 44% reduction in motor vehicle crashes as compared to the standard 2-lane configuration. Studies of the treatment in other countries have found similar safety improvements.

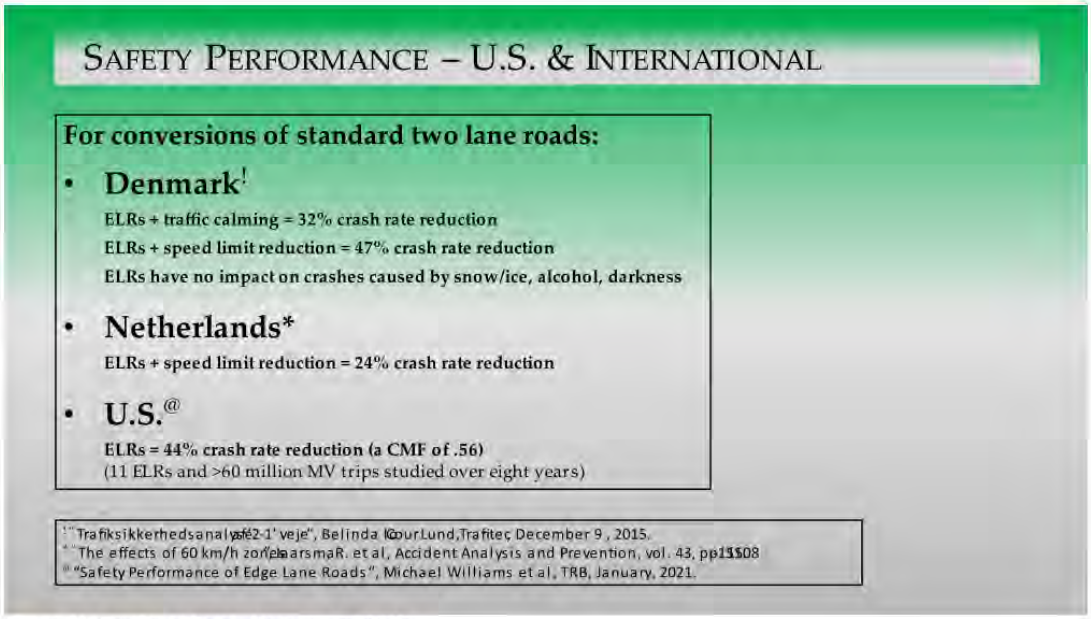

Figure 11 Results of Safety Research on ELRs

Official Guidance

The ELR treatment is contained in the soon-to-be-released AASHTO Guide for the Development of Bicycle Facilities, in the 2019 FHWA Bikeway Selection Guide, and in the 2016 FHWA Small Towns and Rural Multimodal Networks Guide.

All of the components used to create an ELR are in the MUTCD. The assemblage of these components into an ELR has been classified as an experimental treatment by the FHWA. The reason for the experimental classification is to persuade agencies wishing to use this treatment to obtain an approved Request To Experiment (RTE). The RTE process allows the FHWA to document installations and gather data on their performance. Approximately 40% of the American agencies using this treatment, including Portland, OR, have chosen not to use the RTE process. No penalties are levied if an agency eschews the RTE process. The single benefit to using the RTE process is an unquantified, untested increase in legal protection should a lawsuit be filed regarding the treatment. As of April 11, 2022, the FHWA has stopped approving RTE applications because they already have enough experiments underway to meet their needs. Some agencies have chosen to move ahead with their ELR installations after having their RTE applications denied for this reason.

The National Committee on Uniform Traffic Control Devices (NCUTCD) is currently reviewing draft MUTCD content that explicitly supports ELRs. The plan is for this material to appear in the next MUTCD.

Use

Over 60 ELR installations are known in the US as of April 12, 2022. The City of Portland is installing three facilities soon, one with RTE approval and two without. Many more facilities are in the planning and design stages all across the country.

References

AASHTO. A Policy on Geometric Design of Highways and Streets. 6th Edition. Washington, D.C., USA: AASHTO; 2011.

AASHTO Guide for the Development of Bicycle Facilities. 5th Edition. (in prep.)

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Federal Highway Administration (FHWA). Small Town and Rural Multimodal Networks. Washington, D.C., USA: FHWA; 2016. Report No.: FHWA-HEP-17-024. https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/

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Oregon State University Research Forests. 2018. OSU Research Forests Trailhead Alternative Transportation Strategy

Author

Michael Williams

Michael Williams is a recognized national and world leader for the edge lane road treatment. He led the only research project on the safety of the ELR treatment in the U.S. finding a 44% reduction in crash rate as compared to standard two-lane roads. He has published peer reviewed articles on this treatment including one on proposed ELR-specific sight distance models. He is working with the National Committee on Uniform Traffic Control Devices (NCUTCD) to create content for the MUTCD specifically supporting ELRs. He maintains the authoritative website on the treatment at www.edgelaneroads.com. Mr. Williams is not a licensed PE in the state of Oregon.

Appendix A Sight Distance Measurement Report

Sight Distance Estimates for ELR Feasibility Study
Dan Rosenberg, March 2022

Oak Creek Drive, from bridge at intersection of Tanager Dr. to end of road (OSU Forest gate)
To estimate sight distance, I used a 3.5' high sighting tool (wooden stake with ¼" hole drilled at 3.5') and a 2' tall target. Sighting tool was used approximately where the driver would be located if driving in the hypothesized center lane. Target was placed in the center of the road.

I assumed the ELR would start just north of the bridge. There is an intersection with Tanager Dr. at the south side of the bridge (Figure 1). The traffic from north of the bridge to OSU Forest gate is essentially all recreation access traffic. The primary sight distance limitations were from a slight hill and a curve south of the hill. Both of these were at the south end of the road section being evaluated (Figure 1).

Going north from north side of bridge to OSU Forest Gate
Minimum sight distance observed was 210' at the base of the first hill north of the bridge (Figure 2). The second minimum distance observed was 266', occurring at the first curve in the road. Neither vegetation nor fences limited visibility traveling north.

Going south from OSU Forest Gate to north side of bridge
The minimum sight distance observed was 184'. Visibility was limited due to a cedar fence along the primary curve in the road, as one drives south (Figure 3). All of the other lower minimum sight distances occurred along this section as well.



Figure 1. Section of Oak Creek Dr. proposed for ELR, showing locations of minimum sight distance areas, and location of Benton County speed study used in this report

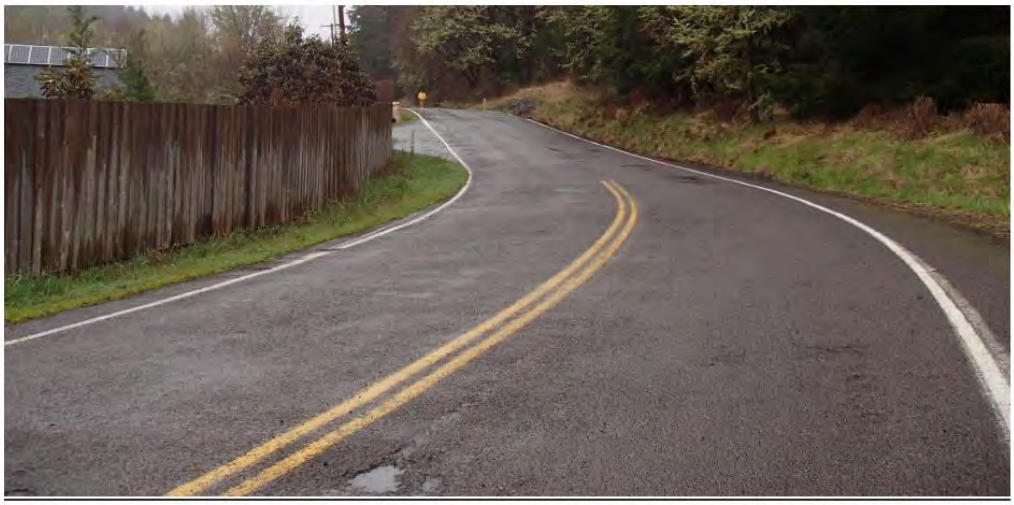

Figure 2. Area of minimum sight distance (210') heading north occurred from this point in the curve to just north of the peak of the hill.



Figure 3. Area of minimum sight distance (184') heading south occurred from this point in the curve.

Exhibit 6: Upper Oak Creek Drive presents challenging safety issues with increased vehicular traffic on a narrow roadway shared by many pedestrians, runners, and cyclists. Parking alongside the road adds to fire risk to the neighborhood.







Exhibit 7. Illegal parking at the trailhead and alongside Oak Creek Drive increase fire risks to the neighborhood and safety risks to the many pedestrians, runners, cyclists, and occasional horseback riders. Illegal parking has increased since OSU has been non-compliant with the Conditions of Approval in the CUP that included enforcement by the Forest Patrol of the Benton County sheriff's office as part of their ongoing contract with their office. Demand from out-of-state mountain bicyclists has increased as the area has become well known for numerous trails, including those that are known to OSU, but not formally sanctioned, and continue to be built.





APPENDIX

EXHIBIT H-5

John Conley

LU-26-030 CUP JOHN CONLEY.msg

EMAIL PUBLIC COMMENT

From: John Conley <jconley42@gmail.com>
To: SWANSON John
Sent: Mon, 17 Aug 2026 09:36:16 -0700
Subject: LU-26-030 CUP

You don't often get email from jconley42@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Swanson,

I hope you will approve the construction of the Snack Time trial in the McDonald-Dunn forest. This area has experienced greatly increased usage since the pandemic and is in desperate need of new trails.

Thank you.

Sincerely,

John F. Conley, Jr, PhD
Corvallis, OR
541-224-2312

APPENDIX

EXHIBIT H-6

Michael Jacob

LU-26-030 CUP MICHAEL JACOB.msg

EMAIL PUBLIC COMMENT

From: Michael J <m.jacob.engr@gmail.com>

To: SWANSON John

Sent: Sun, 16 Aug 2026 23:38:19 -0700

Subject: LU-26-030 CUP

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Hello John,

I support the Snack Time trail. It will be very useful in creating a worthy MTB loop.

Thank you,

Michael Jacob

Corvallis, OR

APPENDIX

EXHIBIT H-7

Tara Neill

LU-26-030 CUP modification_ TARA NEILL.msg

EMAIL PUBLIC COMMENT

From: neill.tara@icloud.com <neill.tara@icloud.com>

To: SWANSON John

Sent: Mon, 17 Aug 2026 00:30:38 -0700

Subject: LU-26-030 CUP modification.

[You don't often get email from neill.tara@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Dear John Swanson and the Community Development Department,
I am emailing to express my support for the construction of the proposed Snack Time trail in the Mac Dunn Research Forest.
I apologize for submitting this late, I was just made aware of this opportunity with the very short comment period.
As a 32 year resident of Corvallis and an avid trail runner and biker, I adamantly support them instruction of new trails in cooperation with OSU and Benton County and have been disappointed in the current freeze in trail building.
Thank you for your time and consideration on this important matter.
Sincerely,
Tara Neill

APPENDIX

EXHIBIT H-8

Dave Van Domelen

LU-26-030 CUP MTB trail building DAVE VAN DOMELEN.msg

EMAIL PUBLIC COMMENT

From: DAVE VAN DOMELEN <davevandomelen@msn.com>

To: SWANSON John

Sent: Mon, 17 Aug 2026 00:19:23 +0000

Subject: LU-26-030 CUP MTB trail building

[You don't often get email from davevandomelen@msn.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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Developing and Maintaining mountain biking & hiking trails in the Corvallis area is vital to this community. Please support maintenance and work on the new Snack Time trail. These recreational opportunities are what make Corvallis such a great community.
Dave Van Domelen
Sent from my iPhone

APPENDIX

EXHIBIT H-9

Jim Fairchild and Mid-Willamette Bird Alliance

MWBA Request for Public CUP Review or Modification JIM FAIRCHILD & MID WILLAMETTE BIRD ALLIANCE.docx

MID-WILLAMETTE BIRD ALLIANCE

August 16, 2026

Petra Schuetz, John Swanson
Benton County Community Development Dept.
4500 SW Research Way
Corvallis, OR 97333

Delivered via email to:
petra.schuetz@bentoncountyor.gov
john.swanson@bentoncountyor.gov

RE: CUP Application – LU-26-030
Approved CUP – LU-17-077

Dear Ms. Schuetz and Mr. Johnson,

We appreciate the limited opportunity afforded us to respond to the request by Oregon State University College of Forestry MacDonald Dunn Research Forest (OSU or Mac Forest) to seek retroactive approval of the "Snack Time" trail addition to its trail system through an internal administrative review by your department. We respectfully urge the Development Department to reject CUP application LU-26-030, and instead properly administer the existing CUP through its established modification process.

Formerly known as Audubon Society of Corvallis, our organization of approximately 300 member families around the Mid-Willamette valley offers statewide birding field trips and conservation opportunities, local evening presentations and educational programs. We host many of our nature education programs at the Hesthavn Nature Center and property at 8590 NW Oak Creek Drive, near its terminus with the MacDonald Forest. There, our visiting groups range from pre-school to university undergraduate classes, volunteer restoration

work parties and training opportunities for other organizations such as Salmon Watch and the Corvallis Sustainability Coalition. Our Hesthavn property is open to the public, maintained by volunteers, and visited and enjoyed by many of its Oak Creek neighbors.

Historical Developments

Over prior decades, OSU allowed the public open access of its research forest land near Corvallis. Gates limited informal access to foot and non-motorized vehicle use, and off-road system trails were very limited. With community population growth and the proliferation of trail cycling, OSU accepted its need for county approval of recreational infrastructure development beyond the normally permitted uses of its Forest Conservation zoned land, and submitted application for the first of its phased Conditional Use Permit (CUP-17-077).

Approved by Benton County with conditions, this CUP specifically stated that it did not authorize any further trail development (Decision, pg.2, para. 3). Nevertheless, in the last couple years OSU gave permission to Team Dirt to redesign, construct and designate over an informally used track the additional "Snack Time Trail," to be incorporated into the Mac Forest trail system, in violation of its CUP agreement with Benton County.

Current Conditions

After several years of CUP conditions-driven improvements and enforcement efforts by Benton County, parking trespass at Hesthavn and neighboring properties is no longer reduced or eliminated, while OSU recreational use continues to increase.

Adjacent properties along this primary access route into Mac Forest further increases and concentrates both permitted commercial and conditionally permitted recreational use, and remains in excess of its design for this Rural Residential zone, creating an accident ready to happen.

Since CUP approval, Oak Creek Drive has been slightly widened and paved, but remains insufficiently wide enough for any center line marking, or for any shoulder safety margin outside the fog line markings. Portions of road right-of-way directly upslope of the Hesthavn property are now steepened beyond the ability of the soil to stay in place and are being undercut. The absence of a guard rail now presents a major safety hazard to any road users when vehicles or pedestrians must pass one another.

Limited terminus parking shunts overflow recreational motor vehicles away from the end of Oak Creek Drive, but does not decrease foot or non-motorized vehicle traffic on Oak Creek Drive, which continues to concentrate recreational Mac Forest traffic without equivalent alternative access routes.

With increased use comes the increased risk of wildfire, as the greater majority of wildfire (70% according to Oregon Dept. of Forestry in provided documents here) are caused by human activity. Regardless of cause, evacuation of all Oak Creek area residents and recreationists will be hampered by the increased facilities of Mac Forest. As yet, no proposed additional evacuation route has been developed or is under public discussion.

Impacts

OSU leadership has chosen to request an Administrative Review process (BCC 53.150), which if approved would circumvent county authority to further regulate recreational infrastructure development here, where the county has already demonstrated significant discretion. This also contradicts the planned phased recreational development CUP process that OSU proposed less than ten years ago, and that it has begun to implement.

Most significantly, administrative review severely limits the ability of interested public and adjacent property owners that may be significantly impacted by the proposal time to seek expertise, legal advice, and properly develop argument to present to the Deciding Official.

The acceptance of CUP LU-26-30 under Administrative Review demonstrably curtails community involvement, but it does not eliminate the need to evaluate its possible impact under BCC 53-215 Criteria**:**

> "(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

(2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and
(3) The proposed use complies with any additional criteria which may be required for the specific use by this code."

We have previously notified Benton County, and do so again that in contravention to these criteria:

1) Recreational development in Mac Forest contributes to significant interference with our approved use at Hesthavn with trespass parking by Mac Forest users.
2) Continued increased safety risk burden to our visitors and staff by increasing traffic on Oak Creek Drive, which is inadequate for both current and increased transportation use.
3) The OSU application for retroactive approval of the Snack Time trail would, if approved, not comply with additional criteria specified as required for the continued application of
provisions of this code, including as noted earlier adequate evacuation routes and capacity in the event of wildfire.

Remedy

As part of the CUP application process, OSU proposed and agreed to future Phase II CUP approval before any further trail development. In the absence of any further conditional permit approval, the construction of the "Snack Time" trail violated the approved OSU CUP. The removal and surface restoration of this unauthorized trail must be considered as one remedy. Retention of this already-built trail might still be accomplished under either an independent new CUP (BCC 53.205) or a Modification of the existing CUP (BCC 53.225), each of which is subject to a public hearing process, review and possible approval by the Planning Commission. We therefore urge Benton County to reject the proposed LU-26-030 and suggest that OSU submit its request through the full conditional use permitting process already established for appropriate community involvement.

We request incorporation by reference all materials, comments, exhibits and attachments submitted on August 14, 2026 by our upper Oak Creek Drive neighbors Dan Rosenberg, Jennifer Gervais, Steve and Terri Cook, Doug and Lorraine Whitke, and Jim Morrison.

Thank you for prompt attention and consideration.

Respectfully,

Karan Fairchild, Co-President

PO Box 148 | Corvallis, OR 97339 • dba: Audubon Society of Corvallis
https://mwbirdalliance.org • Email: information@mwbirdalliance.org

APPENDIX

EXHIBIT H-10

Michael Antonishen

Re_ File LU-26-030 — CUP modification (Snack Time Trail)_ McDonald-Dunn Research Forest MICHAEL ANTONISHEN.msg

EMAIL PUBLIC COMMENT

From: Michael Antonishen <michael.antonishen@gmail.com>

To: SWANSON John

Sent: Sat, 15 Aug 2026 21:40:56 -0700

Subject: Re: File LU-26-030 — CUP modification (Snack Time Trail), McDonald-Dunn Research Forest

You don't often get email from michael.antonishen@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Swanson,

I write in support of Oregon State University's application to amend Conditional Use Permit LU-16-077 to include the Snack Time Trail. I am a Corvallis resident and a year-round recreational user of the McDonald-Dunn — I hike, trail run, and mountain bike there, in every season and most weathers.

My support rests on the same reasoning the County found persuasive in 2017. Purpose-built, professionally designed trail is not an addition to recreation impact in the Forest Conservation zone; it is the primary tool for managing it. Recreation use in the McDonald-Dunn continues to grow whether or not new trail is approved, and when the authorized system doesn't reach a destination people want, informal routes appear that follow no design standard, respect no research plot or cultural site, and drain wherever gravity takes them. A 0.94-mile trail located and built by OSU staff, with proper grade, drainage, and sight distance, does not seriously interfere with adjacent uses or the purpose of the zone — it protects both.

I want to emphasize the value of well-built, multi-season trail in particular. Native-surface trails can be vulnerable in the wet months and carry restrictions or closures when the tread won't hold a footprint without rutting. In the Willamette Valley that is a large share of the year, and the result is that winter use concentrates on a shrinking set of durable routes. Trail built to hold up in wet conditions adds real capacity in exactly the season when the system is most strained, reduces the tread widening and braiding that comes from users skirting mud, and lowers the long-term maintenance burden OSU carries out of its own budget.

On the second criterion, I understand this request addresses trail route and design only — no new trailhead, no new parking, no new access point onto the county road system. Additional mileage inside the forest tends to disperse users who are already there, which if anything eases the congestion familiar to anyone who has arrived at Oak Creek on a Saturday morning.

Finally, this proposal is consistent with a planning process the community has been part of for a decade — the 2025 Forest Management Plan, the Visitor Use Management Plan now in development with its five- to ten-year trail plan, and the ongoing work of the Forest Recreation Advisory Council.

I respectfully urge approval of LU-26-030.

Sincerely,

Michael Antonishen
3637 NW Bunting Drive

Corvallis, OR 97330

APPENDIX

EXHIBIT H-11

Team Dirt

Re_ LU-26-030 – Modification of Conditional Use Permit LU-16-077 _ Snack Time Trail - TEAM DIRT.msg

EMAIL PUBLIC COMMENT

From: Leavitt, Keith <Keith.Leavitt@bus.oregonstate.edu>

To: SWANSON John

Cc: Team Dirt Board

Sent: Fri, 14 Aug 2026 17:27:43 +0000

Subject: Re: LU-26-030 – Modification of Conditional Use Permit LU-16-077 / Snack Time Trail

You don't often get email from keith.leavitt@bus.oregonstate.edu. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

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Dear Mr. Swanson:

On behalf of Team Dirt, and in my capacity as a member of its Board of Directors, I am writing in support of Oregon State University's application to modify Conditional Use Permit LU-16-077 to include the Snack Time Trail.

Team Dirt has worked for many years with OSU and other partners to support responsible recreation and trail stewardship in the McDonald-Dunn Research Forest. Snack Time is consistent with that work. Its purpose is not simply to add recreational mileage, but to improve how existing recreational use moves through a particularly busy portion of the forest. By providing a thoughtfully designed route, the trail can help distribute users more effectively, reduce congestion, and lessen conflicts among different recreational groups.

The County's notice describes the proposal as adding approximately 4,950 feet, or 0.94 miles, of trail to the existing CUP. Although Snack Time was not specifically included in the original permit, we believe this modification is consistent with both the purpose of the Forest Conservation zone and the broader recreation-management approach underlying the original CUP.

Benton County Code 60.005 expressly recognizes opportunities for outdoor recreation as one of the resources the Forest Conservation zone is intended to protect, alongside forestry, wildlife, water, and other forest values. The County's conditional-use criteria also consider whether a use would interfere with surrounding uses, the character of the area, or the purpose of the zone. In our view, Snack Time helps address those concerns rather than creating them: it provides a deliberate way to manage existing recreation and reduce conflicts at a location where use is already concentrated.

This approach is also consistent with OSU's earlier recreation planning for the Research Forests. The original CUP materials emphasized the value of carefully designed, authorized trails as a means of reducing conflicts between recreation and the forest's primary research, educational, and forestry purposes. Those materials also contemplated continued trail planning and an ongoing partnership with Team Dirt in developing appropriate recreational infrastructure.

Snack Time should therefore be understood not as a departure from the original CUP, but as a reasonable continuation of its underlying management strategy: adapting the authorized trail system as recreational patterns and needs become clearer.

The McDonald-Dunn Research Forest is an unusually valuable community resource because it successfully serves multiple purposes. Research, education, forest management, conservation, and public recreation can coexist most successfully when recreational use is thoughtfully planned and managed. Providing well-designed routes that distribute users and reduce points of conflict is an important part of that stewardship.

For these reasons, Team Dirt respectfully supports approval of LU-26-030 and the addition of the Snack Time Trail to CUP LU-16-077.

Thank you for your consideration.

Sincerely,

Keith Leavitt, Team Dirt Board Member

Keith Leavitt, Ph.D.

Scott and Loni Parrish Chair in Business and Professor of Management

Division Chair, Organizational Behavior Division, Academy of Management

College of Business | Oregon State University

380 Austin Hall | Corvallis, Ore. 97331

541-737-8631 | keith.leavitt@oregonstate.edu <mailto:keith.leavitt@oregonstate.edu>

business.oregonstate.edu

CV: https://business.oregonstate.edu/sites/business.oregonstate.edu/files/keith_leavitt_cv.pdf
<https://business.oregonstate.edu/sites/business.oregonstate.edu/files/keith_leavitt_cv.pdf>

We're all just walking each other home. –Ram Dass

APPENDIX

EXHIBIT H-12

Dan Coyle

Re_ LU-26-030 – Modification of Conditional Use Permit LU-16-077 _ Snack Time Trail DAN COYLE.msg

EMAIL PUBLIC COMMENT

From: Daniel Coyle <danielcoyle@hotmail.com>

To: SWANSON John

Sent: Fri, 14 Aug 2026 22:18:50 +0000

Subject: Re: LU-26-030 – Modification of Conditional Use Permit LU-16-077 / Snack Time Trail

You don't often get email from danielcoyle@hotmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

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John

We met recently at the brainstorming workshop that Jenna hosted this past Spring at the Arboretum. Was good to see you and check in (and over the phone.) See below my letter of support with regard to the Snack Time Trail permitting endeavor.

Re: LU-26-030 – Modification of Conditional Use Permit LU-16-077 / Snack Time Trail
To whom it may concern and those at OSU and Benton County working on the issue:
I am writing in strong support of Oregon State University's application to modify Conditional Use Permit LU-16-077 to include the Snack Time Trail.
I am the owner of Coyle Outside, where much of my work involves helping young people develop confidence, self-reliance, outdoor skills, and a sense of responsibility for the places where they recreate. I also serve on the Board of Team Dirt and as the organization's build lead for trail projects in the McDonald-Dunn Research Forest. These roles have given me the opportunity to see both how important the forest is to local families and young people and how thoughtful trail planning can help recreation coexist with the forest's many other uses.
One of the most valuable things we can teach kids outdoors is that access and stewardship go together. A trail is not simply something provided for us to use. It has to be thoughtfully located, carefully built, maintained over time, and shared responsibly with others. Snack Time has provided opportunities for young people to participate in that process firsthand. Through trail work, they learn practical skills, teamwork, patience, and the idea that enjoying a place also creates an obligation to help care for it.
From my perspective as a trail builder, Snack Time also addresses a very practical need in the McDonald-Dunn. This is a heavily used portion of the forest, and concentrating walkers, runners, cyclists, youth groups, and other visitors onto a limited number of routes creates unnecessary opportunities for congestion and conflict. An additional well-designed, bidirectional trail helps distribute that existing use across the landscape. Rather than encouraging unmanaged recreation, it gives people a deliberate and sustainable place to go.
That is particularly important for younger users. Snack Time provides a setting where kids can learn how to travel responsibly on singletrack: controlling speed, yielding appropriately, communicating with other users, climbing efficiently, and understanding how their behavior affects both the trail and the people around them. Those lessons are much easier to teach on a purpose-built route than on crowded roads or informal trails.
The County's application notice describes Snack Time as approximately 4,950 feet, or 0.94 miles, of new trail proposed for inclusion in the existing CUP. Although modest in length, I believe the trail can make a meaningful contribution to how recreation is managed in this part of the forest.
It also fits the broader purpose of recreation in the McDonald-Dunn. Benton County's Forest Conservation provisions recognize outdoor recreational opportunities as one of the resources associated with forest lands, while the County's conditional-use criteria appropriately emphasize compatibility among uses. Snack Time advances both goals: it provides a high-quality recreational opportunity while helping spread users out and reduce pressure at busy points in the existing system.

The McDonald-Dunn Research Forest gives our community something increasingly rare: a place close to town where young people can develop independence, learn outdoor skills, encounter a working forest, and begin to understand what responsible stewardship actually looks like. Those experiences have lasting value. Thoughtfully designed trails such as Snack Time help make them possible while also improving the experience for the broader community.
For these reasons, I strongly support approval of LU-26-030 and the addition of the Snack Time Trail to CUP LU-16-077.
Thank you for your consideration.
Sincerely,
Dan Coyle

Daniel Coyle - 5417600774
Coyle Outside www.coyleoutside.com <http://www.coyleoutside.com/> - 'For the Restoration and Preservation of Outdoor Childhood'
Tree Piece Helmets coyledesignandbuild.com <https://coyledesignandbuild.com/>
Ship to address: 245 SW Cummings Ave, Corvallis, OR 97333
Mail to: PO Box 2389, Corvallis, OR 97339
Check out The Let Grow Project <https://letgrow.org/>

APPENDIX

EXHIBIT H-13

Scott Holmboe, Corvallis Composite MTB

Re_ LU-26-030 – Modification of Conditional Use Permit LU-16-077 _ Snack Time Trail SCOTT HOLCOMBOE CORVALLIS COMPOSITE MTB ORG.msg

EMAIL PUBLIC COMMENT

From: Scott Holmboe <sbholmboe@gmail.com>

To: SWANSON John

Sent: Sat, 15 Aug 2026 19:13:21 -0700

Subject: Re: LU-26-030 – Modification of Conditional Use Permit LU-16-077 / Snack Time Trail

You don't often get email from sbholmboe@gmail.com. Learn why this is important <https://aka.ms/LearnAboutSenderIdentification>

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Dear Mr. Swanson:

I am writing as Team Director and Board Member of Corvallis Composite, our local team affiliated with the National Interscholastic Cycling Association (NICA), in strong support of Oregon State University's application to modify Conditional Use Permit LU-16-077 to include the Snack Time Trail.

The McDonald-Dunn Research Forest is an extraordinary resource for the young people on our team. It provides them not only with a place to ride and practice, but also with opportunities to learn about trail stewardship, responsible recreation, and what it means to share a working forest with many other users.

Our student-athletes have been directly involved in helping build Snack Time. That experience has been particularly valuable. They have learned that trails do not simply appear for their enjoyment: they require planning, physical work, cooperation, maintenance, and consideration of the forest and everyone who uses it. For teenagers, participating in that process creates a sense of responsibility and ownership that extends well beyond mountain biking.

Snack Time will also make our regular team practices work better for both our riders and other visitors to the forest. Corvallis Composites is a relatively large team, and we frequently practice in the McDonald-Dunn on weeknights. An additional bidirectional trail gives our coaches another option for dividing riders into smaller groups and spreading activity across the trail system rather than concentrating dozens of young riders on a limited number of routes. In practical terms, that means less congestion and less impact on hikers, runners, cyclists, and other forest users.

The trail also offers something that is currently difficult for our student-athletes to practice in the McDonald-Dunn: climbing on singletrack. Much of the forest's uphill bicycle travel occurs on fire roads. A well-designed bidirectional trail gives young riders an opportunity to develop climbing technique, bike handling, trail awareness, pacing, and passing etiquette in a controlled setting. Those are important skills for NICA racing, but they are also important skills for becoming safe and considerate lifelong trail users.

In that respect, we believe Snack Time fits well with the broader goals of recreation management in the forest. Benton County Code 60.005 recognizes outdoor recreational opportunities as one of the resources protected within the Forest Conservation zone, and the County's conditional-use criteria under BCC 53.215 emphasize compatibility with surrounding uses and the purpose of the zone. Snack Time advances those goals by providing a thoughtfully designed route that helps manage recreation, distribute users, and reduce potential conflicts rather than simply adding more use to an already busy location.

The County's notice describes this application as adding approximately 4,950 feet, or 0.94 miles, of trail to the existing CUP. From the perspective of our team, that relatively modest addition can have an outsized positive effect: better practice opportunities for local youth, less concentration of riders on existing routes, and another opportunity to teach young people that access to places like the McDonald-Dunn comes with a responsibility to care for them.

For these reasons, Corvallis Composite strongly supports approval of LU-26-030 and the addition of the Snack Time Trail to CUP LU-16-077.

Thank you for your consideration,

Scott Holmboe

Team Director

Corvallis Composite MTB Organization

APPENDIX

EXHIBIT H-14

Jason Saunders

Snack time trail JASON SAUNDERS.msg

EMAIL PUBLIC COMMENT

From: Jason Saunders <jasonsaunders1967@gmail.com>

To: SWANSON John

Sent: Sun, 16 Aug 2026 22:51:35 -0700

Subject: Snack time trail

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Not sure why trail building is not happening right now. Please let it resume!

APPENDIX

EXHIBIT H-15

Heather Doty

Support for LU-26-030 CUP Snack Time trial HEATEHR DOTY.msg

EMAIL PUBLIC COMMENT

From: Heather Dody <hdody@comcast.net>

To: SWANSON John

Sent: Sun, 16 Aug 2026 15:57:14 -0700

Subject: Support for LU-26-030 CUP Snack Time trial

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Hi John,

I strongly urge modification of the existing Conditional Use Permit LU-16-077 to include the Snack Time trail.

My husband and I have been biking in the Mac, Dunn, and Starker Forests for over 20 years. (We're both in our mid-60s and hope to be biking for many years to come). We and many others have benefited from having great trails to ride locally. We truly appreciate the support OSU provided in numerous ways over the years to facilitate the use of their research forests for recreation.

By essentially connecting Playtime Trail and Extendo Trail, the proposed trail is a well thought-out and welcome addition that allows bikers and hikers to be on singletrack/trail rather than road all the way from McCulloch Peak to the bottom of Extendo. That may not sound like a huge benefit but it most definitely is to us recreational users who hike and bike.

Thanks for your consideration.

Heather Dody

4878 NW Bruno Pl

Corvallis, OR 97330

APPENDIX

EXHIBIT H-16

Jenna Berman

Support for More Trails_ Regarding LU-26-030 CUP JENNA BERMAN.msg

EMAIL PUBLIC COMMENT

From: Jenna Berman <jfunkberman@gmail.com>
To: SWANSON John
Sent: Sun, 16 Aug 2026 15:20:39 -0700
Subject: Support for More Trails: Regarding LU-26-030 CUP

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Dear Mr. Swanson,

I am writing to respectfully ask that trail building work be allowed to resume on the Snack Time trail. There has been a hold on trail building for over a year, and I strongly urge you to lift this pause and support future trail development in our community.

As an avid mountain biker, hiker, and trail runner, I deeply value our local outdoor spaces. Through my involvement with Team Dirt and other community groups, I have seen firsthand how much dedicated effort goes into planning, constructing, and maintaining trails. I understand that it is a big undertaking. That said, I moved to this community because of access to trails and I would highly appreciate any growth in the system.

Thank you for your time and continued service to Benton County. I understand that these are tough times in government (I recently stepped away after 10 years at ODOT) and I appreciate that you are likely juggling a lot. Please know that anything you can do to support more trails is noticed and appreciated.

Sincerely,

Jenna Berman

APPENDIX

EXHIBIT H-17

Team Dirt Board, Benton County advocacy for Snack Time

Benton County advocacy for Snack Time(1).pdf

Benton County Permitting

Thanks for your service and, in advance, for your consideration of our input on the matter regarding trail work performed by Team Dirt in the Mac/Dunn Research Forest.

Our organization, Team Dirt, is a non profit Trail Building group of volunteers that has built and developed trail systems in Benton County for 20 years. We have over 200 local members and we work closely with Land Management agencies like the BLM, Starker Family Forests and, most relevant here, OSU's Mac/Dunn Research Forest.



Trail Volunteers at Volunteer Appreciation Night and Teen Volunteers learning trail building techniques on Snack

Recently, several residents who live on private properties near the Mac Forest Oak Creek trailhead complained about trail building activity in a letter that challenges compliance with the CUP that OSU has for trail building on the land that they manage, in part, for recreation. This is the same/similar group of residents who formerly made a complaint that led to substantial delays in trail work, and substantial financial and time investments by OSU into renovating parking such that it reduced capacity.

That occurrence remains in the memory of the many volunteers and trail users.They endured what was largely perceived, rightly or wrongly, as a form of NIMBYism that the County entertained and enforced at the request of a very small minority of community members.

The trail work specifically in question is being performed by Team Dirt as a resource that will create safety and access for all users including youth mountain biking through our local NICA team. Team Dirt has worked hard to create and formalize a partnership with OSU and our many volunteers who gain great satisfaction from the opportunity to give back to the community.

Corvallis has the largest NICA youth mountain biking team in the state and this trail improvement directly addresses improvements that the group has reported needing for beginner

riders in particular. It also creates a bi-directional hiking path that gets users off the logging roads, reducing safety and traffic conflict.

Team Dirt has minimized communication/outreach regarding this complaint and closure to this point. Nonetheless, this issue will soon generate its own conversation and Team Dirt would like to guide the community in a most constructive approach/response. We see that the community is likely to encounter this current complaint and resultant enforcement action by the county with frustration and cynicism and all them more as a result of the former event described above.

Team Dirt and its members see that the county's enforcement response to this very small group of complainants is outsized and lacks an equitable approach to what the greater interests of the community are.

We understand there may be some, technically speaking, valid objections present. However we believe strongly that the potential good of the community in this case is exceptional and deserves exceptional consideration.

We anticipate that Team Dirt and our community will want to understand why and how this is a good use of the enforcement resources by the County.

Thanks for your consideration.

Team Dirt Board

Mac/Starker Trails Coordinator Dan Coyle and President Aaron Turner

Corvallis, OR