



Oregon Department of Corrections

Final Report for

Day Road Site

September 15, 1999

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Introduction

Background Information

The Department of Corrections began long range planning for additional institution construction shortly after adjournment of the 1995 Legislative Session. At that time, the inmate population was projected to grow to over 12,000, by July 1999. The first Long-Range Construction Plan was presented to and approved by the Emergency Board in June 1996. That plan identified the need for eight new prison facilities including five 1,600-bed men's medium security facilities, one multi-security facility for women co-located with a co-gender intake facility, and two 400-bed minimum security facilities; plus expansion of four existing minimum security facilities. The first facility required, based upon forecasted need versus existing capacity, was the co-located women's multi-custody prison and co-gender intake facility. The critical need for that facility still exists; enhanced by the statutory directive to transfer the current facility used by the Department as it's intake facility, to Clackamas County.

The Department began the prison siting process during July 1996. Siting was anticipated to take approximately six months, with the Governor making final decisions by mid-December of that year. Final decisions were made on several sites; however, the Department was to begin the process again for the women's prison / intake center complex (the Executive Order now required it to be located in Clackamas, Multnomah, or Washington County), and two other facilities in Lane and Jackson Counties. The Siting Authority's initial recommendation to build the women's prison / intake center complex at the Dammasch site, in Wilsonville, was the same recommendation forwarded to the Governor after the second siting effort. The Governor accepted that recommendation during May 1997.

A Supreme Court challenge was filed regarding the Dammasch siting. The ruling received during December 1997 validated the process for site selection and the ultimate decision. The Department then approached the Emergency Board in January 1998, when the expenditure limitation necessary for construction of the facility was approved. However, the approval also allowed for construction of the facility in Wilsonville, or within the Wilsonville Urban Reserve, since an alternative site had surfaced. A letter was written to the Governor, by legislative leadership, requesting that he give careful consideration to the suggestions brought forward by the citizens of the Wilsonville community for alternative siting of the complex. In the event that the alternative site was viable, the Governor was to take the appropriate executive action to resite the facility.

The Department initiated a preliminary review of the alternate site during a very short time frame from February 11th to the 24th. The review did indicate, at 130 acres, that it was adequate to fit the design of the facility and to provide minimal buffering from a security standpoint, as well as providing adequate property to potentially develop an on-site water treatment plant. However; the cost of construction was estimated to be higher than at the Dammasch site, condemnation of residential property would likely be necessary, and delayed timing for construction were all reasons cited as issues to continue support for the Dammasch site as the appropriate site for the facility.

In a letter to Wilsonville Mayor Lehan on March 27th, the Governor acknowledged considerable work by the City of Wilsonville personnel on the alternative site. He then directed the DOC and other relevant state agencies to work with the city in considering the

alternative site further. He proposed that up to 90 days be taken to refine the analysis and to work to secure legal and infrastructure agreements. The conclusion drawn after that 90 day period was that a prison facility of this type (WPIC) could be constructed at the Alternative Property and could be operated in a safe and secure manner.

Specifics of the 2nd Day Road Assessment:

- Property Acquisition & Relocation – Of the nine property owners, two were estimated to be unwilling sellers and condemnation would be required. This was not preferable; however, not unprecedented, as the Umatilla property (site for the Two Rivers Correctional Institution) was then under condemnation proceedings.
- Property Studies – Studies were conducted involving soil testing, survey work, geotechnical and seismic evaluations, Phase I and II environmental assessments, and wetland and wildlife habitat analyses. The studies indicated no “fatal flaws” which would prevent the prison development.
- Infrastructure and Operational Agreements – Draft intergovernmental agreements for the provision of water, sewer, storm drainage and road improvements were developed. An engineering firm was utilized to validate that the identified services and improvements would be satisfactory for the construction and long-term operation of the facility. Tualatin Valley Water District had confirmed the District’s guarantee of water delivery to the prison. Another issue discussed was the past flooding adjacent to the site. Consultants indicated this issue could be successfully mitigated.
- Security Issues – Concerns initially stated included limited space for buffering, introduction of contraband, and potential railroad-related problems. The security design plans addressed these concerns, and solutions were developed which would be satisfactory for the long-term operation of a safe and secure prison.
- Construction Cost - The cost of construction would be higher at either site than the \$151 million originally approved for Dammasch, and sited in the initial evaluation report. Two factors cause the increase. More recent prison population forecasts identify the need to bring a greater number of women’s beds on line earlier; and delayed construction schedules escalate cost.

Note: A full chronology of siting related Department activities appears as Attachment A.

Adoption of Senate Bill 686 by the 1999 Legislature (Chapter 982 Oregon Laws 1999)

Chapter 982 Oregon Laws 1999 unsites Dammasch and establishes a new expedited super-siting process for the women’s correctional facility and intake center complex. The new process began with issuance of Executive Order # 99-12, on August 20, 1999, which directed the Director of the Department of Corrections to propose a site for a facility in Clackamas, Multnomah, or Washington County. The site was to be proposed considering specific criteria. The Day Road site was proposed as the site on August 24th.

Within 21 days after proposing the site, a hearing was required to be held within the region where the site is located to receive testimony from the Department, local government, neighbors, law enforcement, and the public, regarding the proposed site. That hearing was held on Thursday, September 9th. The law then requires a final report be issued to the Governor within seven days.

The following is the Final Report required by section 3(3). **The Director recommends that the Day Road site be used for the construction and operation of the women's correctional facility and intake center complex.**

Project Description: Women's Correctional Facility and Men's and Women's Intake Center Complex

The Women's Correctional Facility and Men's/Women's Intake Center complex (the Complex) will be a multi-custody facility, which is planned to accommodate women inmates and provide intake and evaluation for all women and men inmates for the Oregon Department of Corrections.

The correctional facility will initially include 324 women's minimum-security beds, 432 women's medium security beds, 64 women's special/high security beds and 432 men's and women's intake beds. Future expansions will increase capacity to approximately 1,600 beds.

The facility will include space for a) inmate work programs, b) inmate cell and dormitory housing, c) workforce development, education and treatment programs, d) health services, e) food services, f) physical plant, g) warehouse for on-site and storage (not a regional warehouse), h) central records unit, i) administration, and j) other functions determined to be related and/or necessary to the operation of the Complex. The facility will be constructed in phases.

Recommended Day Road Site for Women's Prison and Intake Center

Name of Site: Day Road Site

Location: Northwest of the Wilsonville City limits, southwest of Tualatin in unincorporated Washington County, within proposed Urban Reserve Area #42.

Tax Lot Numbers, Property Owners and Parcel Sizes:

There are 14 properties and nine (9) property owners (see Property Reference Map on page 8).

Grunbaum	3S103A001300	32.25 acres
Western Compliance Inc.	3S103A001301	4.40 acres
Grunbaum	3S103A001400	9.86 acres
Grunbaum	3S103A001500	12.81 acres
Stearns	3S103A001600	4.27 acres
Stearns	3S103A001601	3.72 acres
Parr (Miller)	3S103AA00800	4.85 acres
Schulte (Rumgay)	3S103AA00900	4.85 acres
Schulte (Rumgay)	3S103AA01000	7.68 acres
Western Compliance, Inc.	3S103AB00500	7.61 acres
Houston	3S103AB00600	1.31 acres
Dickert	3S103AB00700	4.67 acres
Garrison	3S103AB00701	1.87 acres
Parr (Bighaus)	3S103AB00702	3.01 acres

Parcel Size: Approximately 108 Acres

Tax lot map from Washington County indicates the total acreage of the 14 properties is 103.16 acres; however actual preliminary survey acreage of the 14 properties totals 108 acres.

Zoning: The 14 properties consist of the following zoning types:

AF-5:	Agriculture, Forestry and Rural Residential
MAE:	Land Extensive Industrial

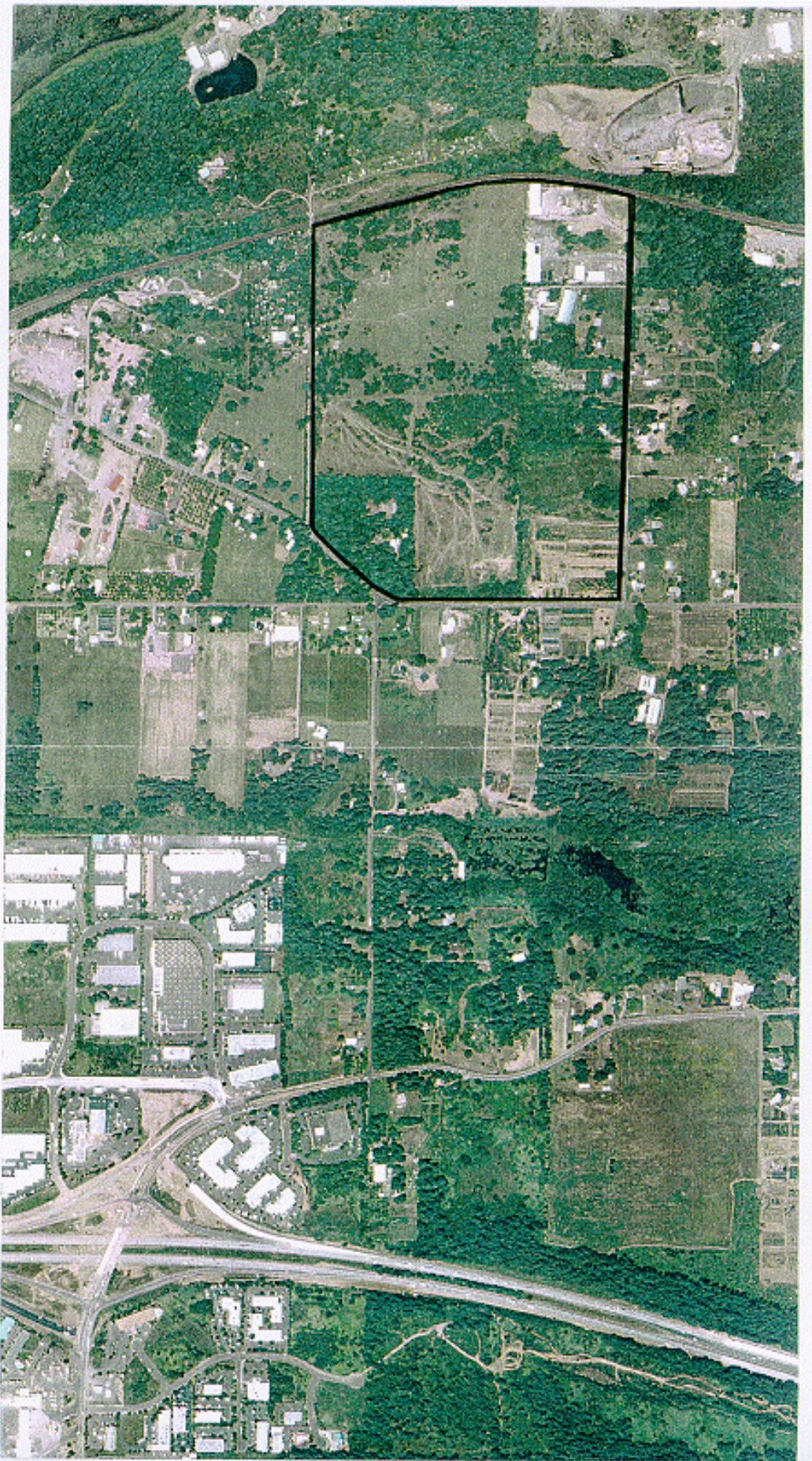
County records indicate that approximately 84 acres (77%) of the Day Road properties are zoned AF-5, while 24 acres (23%) are zoned MAE.

Jurisdiction(s): Washington County
Tom Brian, Chair
Washington County Commission

City of Wilsonville
Charlotte Lehan, Mayor

Legislators: District 13: Senator Randy Miller
 District 27: Representative Jerry Krummel

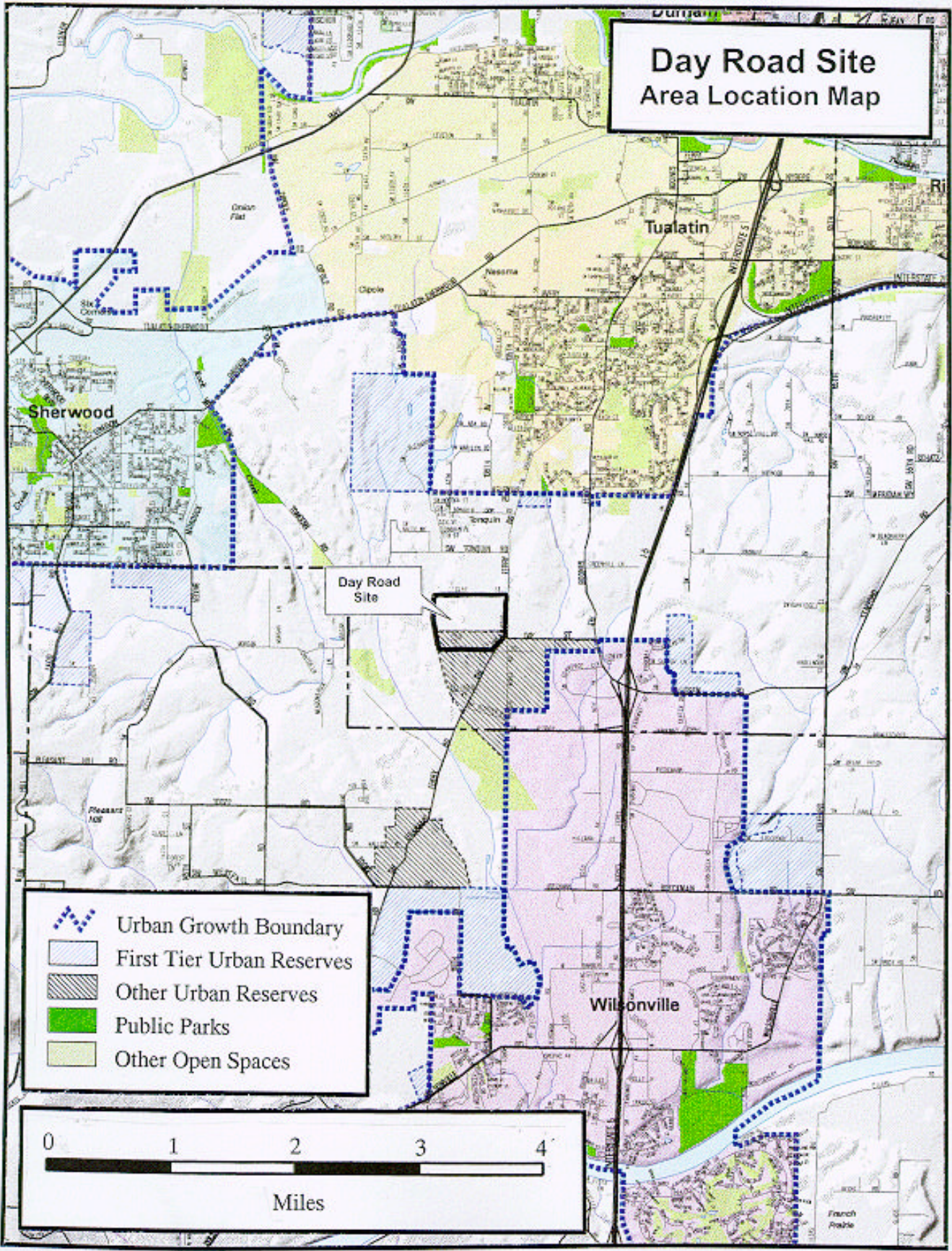
Access: The closest access to the site from Interstate-5 is from the Wilsonville
 Stafford interchange, northwest on Boones Ferry Road, then west on Day
 Road to Grahams Ferry Road. The site can also be accessed from Tualatin
 to the north and Wilsonville to the south.



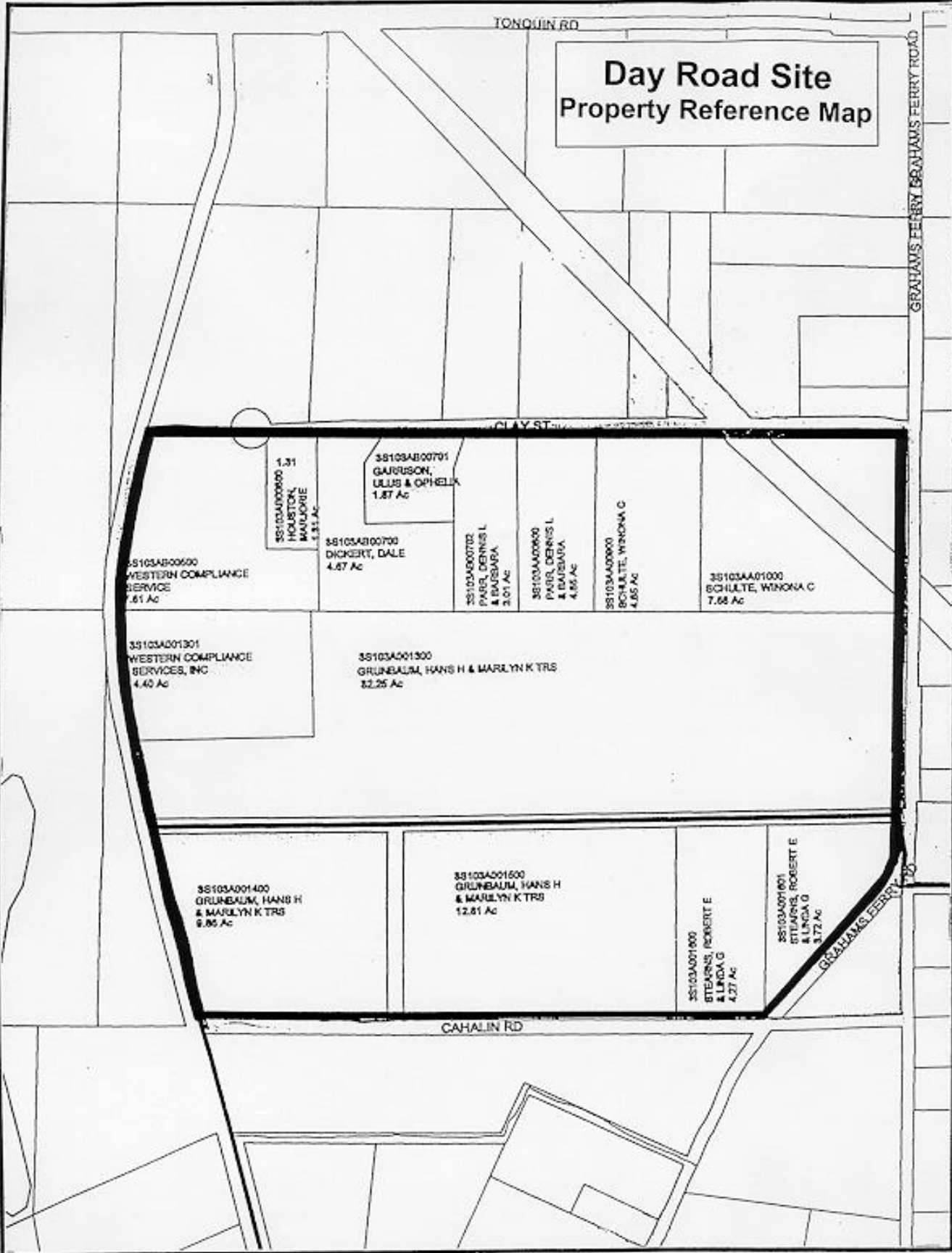
Aerial Photo Showing Day Road Site

108 acres bordered to the west by the Southern Pacific Railroad Tracks, to the north by Clay Road, to the south by Cahalin Road and to the East by Grahams Ferry Road (Photo provided by the City of Wilsonville, taken May 7, 1997)

Day Road Site Area Location Map

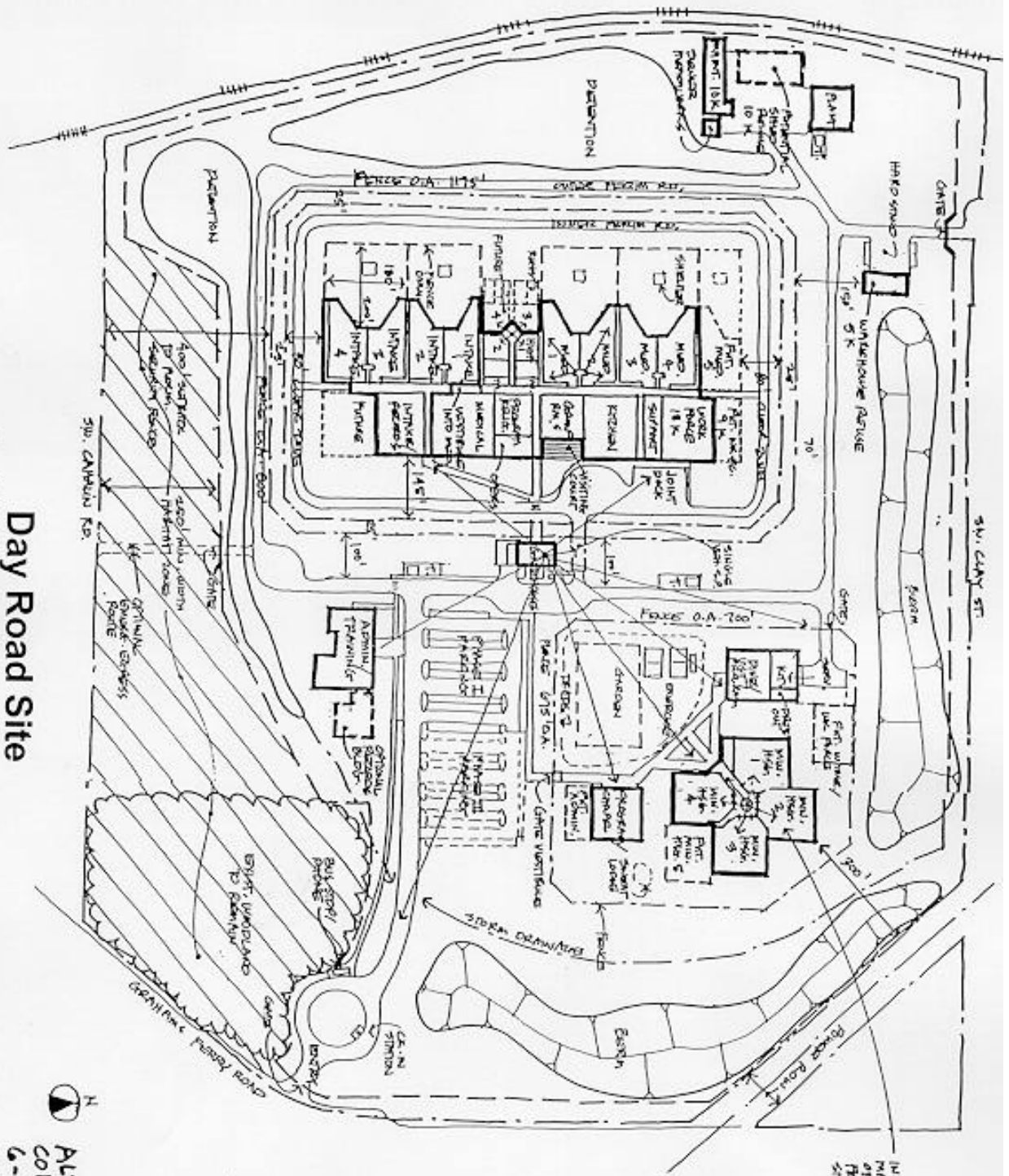


Day Road Site Property Reference Map



Day Road Site
Facility Footprint on Property
(Preliminary Conceptual Drawing - No Scale)

ALT SITE
 CONCEPT SKETCH C
 6-25-99 JPP:IC
 SCALE 1" = 150'



INDIRECT VISUAL
 IMPACT FROM
 SW. CLAY ST.
 FROM ONE CORNER
 (SYMPTOM)

Chapter 982 Oregon Laws 1999 Required the Department to Consider the Following Criteria (Criteria language is taken directly from the law):

- a) ***Interest demonstrated by local jurisdictions in having the site selected for a women's correctional facility and intake center complex. A local jurisdiction may demonstrate interest by presenting to the Director of the Department of Corrections a resolution setting forth such interest.***

The Director interprets this language to mean a single jurisdiction may express interest in hosting the facility. The City of Wilsonville expressed interest to the Department through its submission of a city council resolution which reaffirmed the city's interest in siting the facility at the Day Road site. In addition, the City of Wilsonville submitted oral and substantial written testimony in support of the proposed site.

Other local jurisdictions may include Washington County, the City of Tualatin, the City of Sherwood, and Metro. The entire site lies within an unincorporated area of Washington County. However, Metro has conditionally approved that the entire site be part of the City of Wilsonville's designated Urban Reserve Area #42 if a correctional facility is constructed on the site. Neither Washington County, the City of Tualatin, nor the City of Sherwood have submitted an expression of interest or support in siting the facility at the Day Road site. In fact, one Washington County Commissioner submitted written testimony indicating opposition to the siting of a facility at this location. The City of Tualatin submitted written testimony indicating that they objected to the City of Wilsonville's suggested host capacity, and the timing and fast-track siting process under Chapter 982 Oregon Laws 1999. The City of Sherwood did not submit testimony in response to the Department's proposal of this site.

Section 4 (4) of Chapter 982 Oregon Laws 1999 states that if the Director recommends a site for which a local government did not express interest as described in Section 3 (1)(a) (the above criteria), then the Director shall make findings that demonstrate why the Director selected the site. The Director believes that the resolution submitted by the City of Wilsonville adequately addresses this criteria. In the event that findings are determined to be necessary, the Director makes the following findings demonstrating why he selected the Day Road site for construction and operation of the Women's Correctional Facility and Men's/Women's Intake Center Complex:

Findings:

1. The Oregon Department of Corrections has considered the information presented regarding the proposed site at Day Road and has determined that the site meets the needs of the Department for constructing a Women's Correctional Facility and Men's/Women's Intake Center Complex. The recommendation to site the facility at the Day Road location is based upon information presented in previous studies conducted of the site, oral and

written testimony presented during a public hearing process, and commitments made by local government jurisdictions and other service providers.

2. There is a serious and urgent need to construct and operate a new Women's Correctional Facility and Men's/Women's Intake Center Complex in this state to accommodate current and projected prison populations. As of September 1, 1999, the number of female inmates subject to incarceration in this state's prisons exceeded 500. This number exceeds the Department's current permanent housing capacity for female inmates by approximately 80 beds. In order to accommodate these numbers, the Department has been forced to house many of its female inmates in temporary housing units, and to assign some female inmates, on occasion, to sleep in cots placed in areas of the existing women's correctional center that are dedicated for correctional programs and instruction. This situation will only worsen until a new women's facility is built in this state.
3. The most recent Oregon Corrections Population Forecast, issued by the Department of Administrative Services in April 1999, indicates that the number of female inmates will increase to approximately 700 by the Spring of 2002, when construction of the new Women's Correctional Facility and Men's/Women's Intake Center Complex is projected to be completed. This projected completion date assumes that the siting process for the facility is completed this month, September 1999.
4. Intake processing of the Department of Corrections inmates currently takes place at the Oregon Corrections Intake Center, located in Oregon City. The Legislative Assembly has previously directed that this facility, which is attached to and a part of the physical structure of the current Clackamas County Jail, be transferred to Clackamas County. The original plan was that the intake center facility would transfer to the County by the end of 1998. Delays in the siting and construction of a new Women's Correctional Facility and Men's/Women's Intake Center Complex have delayed the state's transfer of the intake center facility to the County far into the future. In a letter to the Speaker of the House in February of this year, the Clackamas County Sheriff indicated that short term strategies had allowed him to manage his offender population for the time being, but that these strategies were losing their effectiveness, and would result in the need to matrix release some offenders back into the community. He expressed his concern that further delays in construction and operation of a new intake center complex would require the inappropriate overcrowding and release of Clackamas County Jail inmates into the community.
5. Further delays in construction and operation of the Women's Correctional Facility and Men's/Women's Intake Center Complex will result in significant increased costs to state taxpayers. Delays already experienced have accelerated construction costs alone by approximately 4% per year, adding roughly \$8 million to the cost of the facility.

6. The City of Wilsonville's demonstration of interest is appropriate in addressing this criteria since approximately one-third of the site is currently in Urban Reserve Area #42 designated to the city. The City of Wilsonville has received conditional approval to bring the remainder of the site into Urban Reserve Area #42 if it is used as the site for a state correctional facility. Conditional approval for this action was given by Metro through an ordinance adopted on July 23, 1998. The City of Wilsonville has indicated that annexation of this area will occur as soon as possible following its inclusion in the Urban Reserve. Further, the City of Wilsonville is willing and able to provide nearly all of the infrastructure items needed to support the operation of the facility at this site.

b) ***The availability or the ability of local jurisdictions to provide adequate infrastructure to serve the complex.***

Local jurisdictions have provided information and made commitments to provide the necessary infrastructure to support the operation of a Women's Correctional Facility and Men's/Women's Intake Center Complex at this site. Both the City of Wilsonville and the Department evaluated the infrastructure needed, such as water and sewer services, storm drainage, and road improvements. Optional infrastructure solutions were proposed for the Day Road site.

The City of Wilsonville and the Department have agreed to deal points for sewer, storm drainage, and road improvements, which have been set out in a draft Inter-Governmental Agreement.

The Department acknowledges that the area around the site does not currently have an adequate storm drainage system. A system will need to be constructed to handle the drainage for the site, as well as drainage caused flooding along the major access locations for the site. Both the City of Wilsonville and the Department have engineering reports detailing a resolution for this issue. The City of Wilsonville will work with the Department to construct a system on and off-site to meet the storm drainage needs and resolve drainage caused flooding.

Local interstate access and adequate roads will be available to serve the site, although some improvements are necessary. The Day Road site is currently served by electricity, natural gas, and telecommunications.

The Day Road site does not currently have domestic water and fire flow service from a local provider. The Tualatin Valley Water District has agreed to provide both short- and long-term water to the site. The District has provided a written commitment to deliver water to the site in the quantities required to construct and operate the facility.

c) ***Natural features that allow design features to promote compatibility with surroundings.***

The Day Road site is generally flat with gentle sloping hills along the northwest perimeter of the site. It is comprised of a mosaic of fragmented habitats, including forest patches, clear-cut, pasture, and narrow shrub corridors. A portion of the Day

Road Site, predominately the properties located along the north, are composed of rural residential development, light industry, and agriculture uses. The north property line is bordered by Clay Street. The west property line is bordered by a rail service line operated by Portland and Western Railroad. The east property line is bordered by Grahams Ferry Road. The South property line is bordered by Cahalin Rd. The property lines will be somewhat buffered by natural vegetation and can be additionally buffered with landscaped berms and trees. Surrounding uses are primarily rural residential and light industrial. These features are similar to those of existing Department of Correction's facilities and therefore compatible.

The variety of vegetation on the site should provide opportunities to augment the natural features for buffering of the site, in addition to the buffering that landscaping, berms, and trees could provide. Testimony presented during the public hearing, as well as conditions submitted to the Department, indicate significant concern from area residents about the visual impacts from a facility at the Day Road site. To address these concerns, conditions of siting are being recommended which speak to the visual impacts from the facility and a process for input.

d) ***The availability of the site by purchase, condemnation, exchange or otherwise.***

The Day Road Site includes approximately 108 acres and consists of fourteen (14) tax lots with nine (9) different ownership interests. On the nine (9) properties, there are at least four (4) business tenants, three (3) business owners and seven (7) residences. The Oregon Department of Corrections (DOC) contracted with the Oregon Department of Transportation (ODOT) Region 1 Right of Way office in April 1998 to contact the owners of the properties comprising the Day Road Site. A report received from ODOT on May 8, 1998, included summary information on the potential acquisition. Of the nine (9) property owners, six (6) previously indicated a willingness to further discuss sale of their property, one (1) indicated a reluctance to sell and two (2) indicated a complete unwillingness to sell their property. Purchase negotiations would be handled through the Oregon Department of Transportation on behalf of the Oregon Department of Corrections.

The State of Oregon will likely need to condemn some of the properties in order to acquire the recommended site. The Department recognizes the impact that condemnation has on private property owners. The Department will follow state and federal requirements in acquiring all the properties that compose the site, which includes working with property owners to identify comparable replacement properties.

Condemnation of private property is used by public agencies when necessary to obtain property needed for public projects. The Department has found it necessary to initiate condemnation proceedings at three other sites that were selected for correctional facilities, primarily because negotiations for purchase of those sites did not result in agreement on the price to be paid for the property. Those sites included the Port of Umatilla site, the Madras site, and one of the properties that comprise the Junction City site.

e) ***The sufficiency of the size and shape of the site to accommodate the complex.***

The Day Road Site includes approximately 108 acres of land. The facility will be located on the property in a manner which provides visual buffering where possible. As mentioned previously, conditions are recommended to address visual buffering issues. Several buildings located in the northwest corner of the site have been identified for possible re-use. The proposed building location will allow for sufficient distance between the railroad tracks and the exterior perimeter patrol road. The site can accommodate the proposed facility and its planned expansion.

f) ***Whether the site is located in an area designated as a 100-year flood plain on a current map of the Federal Emergency Management Agency.***

The current FEMA map shows that the proposed Day Road Site is not located in a 100-year flood plain. The main access point for the proposed facility, located at the corner of Day Road and Grahams Ferry Road, is also not located in a 100-year flood plain. This was confirmed by FEMA. The Department is clearly aware that the area around this intersection has experienced serious accumulations of storm water during winter months, in some cases several feet deep. The accumulation of water has caused flooding to some of the surrounding area residences, and in some instances, has made the intersection impassable, or nearly so, for passenger cars and other vehicles.

The Department's engineering consultant, as well as the City of Wilsonville's consultant, have reviewed the drainage problems in this area and have developed a detailed plan for resolving the current drainage problem. The solution includes large on-site storage ponds for both on- and off-site storm drainage collection and retainage. Intersection drainage improvements will also be necessary to channel the storm water from the intersection into the on-site storage ponds. Storage ponds and drainage swales are common practices in new construction and property development used to address storm drainage issues.

g) ***Whether the site is located in a tsunami inundation zone.***

The Day Road site is not located in a designated tsunami inundation zone. This was confirmed with the Department of Geology & Mineral Industries.

h) ***Whether the site either has infrastructure available on-site or the infrastructure otherwise can be provided and maintained. For purposes of this paragraph, 'infrastructure' includes but is not limited to:***

- (A) Water for domestic use, fire protection and irrigation;***
- (B) Sanitary sewer collection and treatment;***
- (C) Surface drainage storm water collection and disposal; and***
- (D) Electricity, natural gas, oil or propane and telecommunications.***

(A) Water is available to the Day Road Site through a commitment by the Tualatin Valley Water District, a regional water provider. The District has indicated that it has sufficient capacity and water rights available in its system to provide the permanent water needs to the facility. The District has multiple

options available to provide water to the site.

- (B) Sanitary sewer services will be made available through connections to the City of Wilsonville's sewage treatment plant. City staff and Department consultants have confirmed that there is adequate treatment capacity available to meet the needs of the facility at this site. Sewer lines will need to be extended from the City's current collection lines to the site.
- (C) Storm drainage will be provided through a system that will need to be constructed to handle both the storm drainage from the Day Road Site and the storm drainage from the street basin. As indicated earlier, information shows that there has been drainage related flooding along the major access locations for the Day Road Site. Engineering reports from the City of Wilsonville and other civil engineering consultants indicate that the storm drainage backup and consequent flooding situation can be corrected with an appropriate storm drainage system.
- (D) Electrical service will be provided to the site via a connection and service agreement with Portland General Electric.

Natural gas service will be provided to the site via a connection and service agreement with Northwest Natural Gas.

Telecommunications will be provided via a connection and service agreement with GTE Telephone.

Oil and Propane are available, but are not expected to be necessary for the operation of a facility at this site.

- i) ***Whether the site is served by a road or highway system capable of supporting the complex. New roadway improvements should be able to be constructed and available at the time the complex is scheduled to open.***

The Day Road Site is approximately .7 miles west of the North Wilsonville/Stafford Interstate-5 (I-5) interchange. The site can be accessed from I-5 via Boones Ferry and Day Road, as well as other local routes. The site is bordered by Grahams Ferry Road on the east, Clay Street on the north, Cahalin Road on the south and the Portland and Western Railroad tracks on the west. A comprehensive traffic impact study was completed by a consulting firm in June 1998 for the major arterial highway and street locations adjacent to the site and traffic counts were conducted to identify the "peak" traffic demands for the area. Results of the study concluded that improvements would be needed at two intersections and would include turn lanes and signalization, as well as road widening and additional improvements on some adjacent roads. The planned improvements would bring Day Road up to the county's urban road standards. It is anticipated that the necessary improvements can be completed by the time the complex is scheduled to open.

Siting Conditions

The Oregon Department of Corrections (DOC) received 155 proposed conditions from affected local governments and other persons. Many conditions did not meet the requirements outlined in Section 4 (2) of Chapter 982 Oregon Laws 1999 or relate to the site and the criteria described in Section 3 (1) of Chapter 982 Oregon Laws 1999. However, all conditions were reviewed and considered for adoption by the DOC.

Many of the conditions addressed important issues and included valuable suggestions, but the DOC was not able to consider adoption of the condition precisely as submitted. Several of the ideas, however, were similar to site development conditions previously adopted for other new correctional facility sites. In those cases, the DOC is recommending the condition be adopted for the proposed Day Road Site. Other conditions addressed issues that were already addressed in B-Engrossed Senate Bill 686, such as development of the Prison Advisory Committee and permitting.

The Department will work with the Prison Advisory Committee and local community members for input and consideration on issues that may be addressed during design and construction of the Women's Correctional Facility and Men's/Women's Intake Center. The Department thanks those who submitted conditions and provided public comment on the Chapter 982 Oregon Laws 1999 process.

The Director of the Oregon Department of Corrections deems the following conditions as necessary and appropriate for the site.

1. *The Oregon Department of Corrections shall work with the local community in developing an Advisory Committee to discuss and make recommendations on potential construction and operational impacts of the facility. These potential impacts may include such issues as traffic patterns, inmate work opportunities, lighting and buffering, land use impacts, configuration and routing of infrastructure, and on-site weapons training for staff.
2. *The Oregon Department of Corrections shall work with appropriate municipalities, public agencies, and/or other entities to address the technical components of the project and ongoing operation of the facility.
3. *The Oregon Department of Corrections will maintain a policy or plan for notifying local jurisdictions and surrounding residents of inmate escapes and other incidents that may affect the public or raise local safety concerns.
4. *The Oregon Department of Corrections will develop a plan to balance the lighting requirements in keeping with the safety, security and operational concerns of the facility - while being sensitive to local interests and minimizing lighting impact.
5. *The Oregon Department of Corrections will develop a plan to minimize facility/operational noise in keeping with the safety, security and operational concerns of the facility.

6. *The Oregon Department of Corrections will develop and implement a plan to minimize visual impacts of the prison facility on surrounding areas. Such a plan could include earth berms, landscaping or other appropriate buffering.
7. **The Oregon Department of Corrections will develop and implement a solid waste management and recycling plan for the facility (Requested Siting Condition #32).
8. **The Oregon Department of Corrections will develop and implement a plan to reduce vehicular traffic to the facility (Requested Siting Condition #33).

- * General Site Development Condition adopted by the department for other new facilities.
- ** Condition submitted by local government and/or person.

**DEPARTMENT OF CORRECTIONS
FACILITIES SITING
September 1999**

November 1994:

- C Ballot Measure 11, which created mandatory minimum sentences for 16 felonies, was passed by Oregon voters by a 66 percent margin.

1995 Legislative Session:

- C The Department of Corrections discussed with various legislative committees that the prison population projection indicated huge growth in the system, largely due to Ballot Measure 11. The early estimate identified population of 7,256 as of April 1995, growing to over 12,000 by July 1999.
- C An appropriation of \$500,000 was included in the Department's budget for development of a long-range prison construction plan to accommodate the anticipated growth.
- C ORS 421.611 through 421.630 was adopted (HB 2214) which created the Siting Authority and authorized the Department of Corrections to begin the "supersiting" of prisons statewide.
- C The super-siting law required the Department to nominate sites for corrections facilities based upon, mandatory and desirable criteria established by the Department, by rule, and the following:

The interest demonstrated by local jurisdictions.

- A. The availability or the ability of local jurisdictions to provide adequate infrastructure to serve the facility.
- B. Natural features that allow design to promote compatibility with surroundings.
- C. The availability of or ability to provide local support facilities.
- D. The cost of developing the proposed facility, including but not limited to the cost of land acquisition and construction, and the cost of operating the facility.
- E. The location and dispersal of social service residential facilities and other corrections facilities.
- F. (The separate mandatory and desirable criteria established by DOC are attached.)

- C The Department was to nominate sites to the Corrections Facilities Siting Authority after holding a meeting with the elected local government officials involved to discuss the site selections, the on-site and off-site improvements needed at each site and the site preferences of the local governments.
- C Within 30 days after nomination of the sites the Siting Authority was mandated to hold hearings within the region where the nominated sites were located, and within 45 days select and rank the sites in order of preference.
- C If one or more of the nominated sites met the DOC mandated criteria, the local jurisdiction demonstrated interest, and the Authority selected a site that had not demonstrated interest, the Authority was mandated to make findings that demonstrate why it selected the site in which the local jurisdiction did not demonstrate interest.
- C The Siting Authority was to notify the Governor of its siting decisions as soon as practicable, and the Governor was to approve or disapprove the sites as he deemed necessary and advisable.

June 1996:

C The Department presented and the Emergency Board approved a modified long-range prison construction plan based upon the April 1996 forecast and identified capacity levels at existing institutions. The Department's plan identified the need for eight new prison facilities including five 1,600+ men's medium security facilities, one multi-security facility for women co-located with a co-gender intake facility, and two 400-bed minimum security facilities. The Department's plan also included the expansion of four existing minimum security facilities. The first necessary facility to be constructed, based on gender and custody information, as well as existing system capacity, was the co-located women's multi-custody prison and co-gender intake facility.

C The Emergency Board approved the financing needed to acquire eight sites, support the Siting Authority expenses, fund site evaluation costs, hire positions to support the siting and design processes, and programming and schematic design costs for the first two sites. The Emergency Board requested the Department return to the September 1996 meeting to further validate the need for sites 7 and 8.

July 1996:

C The Department began the siting process, effective July 8, 1996, through Executive Order NO. EO-96-31. Siting was anticipated to take approximately six months, with the Governor making a decision by mid-December.

C The Department adopted rules identifying the mandatory and desirable criteria for siting a prison facility.

C The Department appointed a Design Team to develop a proto-type design for the new facilities that will have a life-cycle expectancy of 100 years.

August 1996:

C Thirty seven jurisdictions submitted Resolutions of Interest by August 7.

September 1996:

C The Department received approval from the Emergency Board to proceed with the siting of site 7 along with sites 1-6.

October 1996:

C The Department of Administrative Services released its semi-annual prison population forecast. The forecast predicted a slowing in the anticipated population growth from 19,246 in the year 2005 in the April 1996 forecast to 16,900.

C The Department updated its long-range prison construction plan and verified it could eliminate one of the five 1,600+ bed medium security facilities for men (site 8).

C The Department nominated 22 sites for the Siting Authority to hold public hearings on and make a ranked listing of seven sites, and up to four existing institution expansions, to the Governor by December 2, 1996.

December 1996:

C The Governor recommended the siting for four facilities and the expansion of three existing minimum-security facilities. The four new prison sites chosen include Madras and Umatilla for 1,500+ bed men's medium security complexes, with a minimum security component and Lakeview and Oakridge for the 400 bed men's minimum security facilities. The existing facilities recommended for expansion include Powder River Correctional Facility in Baker City, Shutter Creek Correctional Institution in North Bend, and the South Fork Forest Camp in Tillamook County. The Governor did not approve the recommended sites in Wilsonville (old Dammasch State Hospital), Lane County (Meadow View) and Jackson County (Roseburg Resources) and directed the Department and Siting Authority go through the process again in these areas to review and evaluate alternative sites. The Governor made it clear that the sites recommended by the Siting Authority in those three areas were to be included in the next round along with others.

January 1997:

C On January 7th, the Governor signed Executive Order NO. EO-97-06 to begin the siting process again for a women's prison/intake center complex and its future expansion to be sited in Clackamas, Multnomah, or Washington County.

C On January 29, the Governor signed Executive Order NO. EO-97-11 to begin the siting process again in Jackson County for a men's medium security complex, with a men's minimum security component and its future expansion; and a Lane County men's medium security complex, with a men's minimum security component and its future expansion.

February 1997

C During January and February, consultants and DOC evaluated, to some level, over 180 sites as alternatives for the Women's Prison / Intake Center complex. Many of the sites were not considered further because they did not meet mandatory criteria because of flood plain designation, etc. Ultimately, seven sites received significant evaluation, and two were nominated for consideration by the Siting Authority, in addition to the Dammasch property.

May 1997:

C Governor accepted the Siting Authority's recommendation to build the women's prison / intake center complex at the Dammasch State Hospital site in Wilsonville.

June 1997:

C Governor accepted the Siting Authority's recommendations for prison sites in Lane and Jackson Counties. The Governor's decision meant that a medium security complex, with a minimum security component will be built on both the Milliron site in Junction City and on the Stimpson Gulch site in Medford / White City. The siting process was complete.

1997 Legislative Session:

C A number of bills including; SB 397, SB 541, SB 1199, SB 1221, HB 2112, HB 2270, HB 3564, and HB 3698, were introduced during the 1997 Legislative Session that provided the opportunity to override the Governor's siting decisions, or to make changes to the super-siting law which had governed the site selection.

1. Senate Bill 541, which passed both chambers, would not allow the Department to site or build a facility within one mile of an elementary or secondary school or within one mile of a residential area containing more than four dwellings per acre, unless separated by a significant permanent natural barrier. The Department would also be forbidden from siting or building a facility on land composed primarily of soils classified as prime, unique, Class I or Class II. The Department could site and build in these forbidden areas if a jurisdiction demonstrated an interest in the site. The Governor vetoed the bill.
2. Senate Bill 397, which required that the old Dammasch Hospital property in Wilsonville be sold and used only for an urban village, initially passed both chambers. The Governor vetoed the bill. The Senate overrode the veto, but the House did not.
3. The 1997-99 Legislatively Adopted Budget for the Department of Corrections included Capital Construction expenditure limitation (\$5.3 million) to begin the site work and design for the women's prison / intake center complex at the Dammasch Hospital site in Wilsonville. The budget also included funds for design work to expand the three existing minimum-security facilities, and increased infrastructure financing for the Umatilla site.

November 1997:

- C The Department of Corrections requested the Emergency Board approve the debt service necessary to support the sale of Certificates of Participation for design and site work at the women's prison / intake center complex. The Emergency Board recommended deferral of the decision until the January 1998 meeting. The Emergency Board anticipated that the Supreme Court would rule by then on whether or not the Governor's siting decision at the Wilsonville site was valid.

December 1997:

- C The Supreme Court ruling regarding the Wilsonville site was announced validating the process for site selection and the ultimate decision to site the women's prison / intake center in Wilsonville.

January 1998:

- C The Department submitted a request to the Emergency Board to approve the funds necessary to construct the women's prison / intake center complex. As part of the request, the Department completed a comparison of building a co-located multi-custody women's prison and intake center at the Wilsonville site to renting out-of-state beds for the women's population. The Department's comparison showed that the decision to construct the facility at Wilsonville was less expensive than renting out-of-state beds in the short and long term. The expenditure limitation necessary for construction of the facility was approved. However, the approval also allowed for construction of the facility in Wilsonville, or within the Wilsonville Urban Reserve.
- C A letter was written to the Governor, by legislative leadership, requesting that he give careful consideration to the suggestions brought forward by the citizens of the Wilsonville

community for alternative siting of the women's prison / intake center complex. In the event that the alternative site was viable, to take the appropriate executive action to resite the facility.

February 1998

- C Executive staff of the Department of Corrections requested that facts presented on the alternative site be verified and that a brief outline of the information be developed and presented for review.

March 1998

- C The Governor agreed to begin a 90 day process to refine the analysis of the alternative site and to work to secure legal and infrastructure agreements that would make it possible to site a prison there. The analysis was due by June 25th.

April 1998

- C A lawsuit was filed challenging the authority of the Emergency Board to approve the expenditure limitation authorizing construction of the facility. Due to the lawsuit, the Department of Administrative Services indicated it was not appropriate to move ahead with the sale of Certificates of Participation, which provide the funds to construct the facility.

June 1998

- C The completed evaluation identified the alternative site (the Day Road site) as a viable site for construction of the women's prison / intake center complex. A resolution of interest was received in support, and Wilsonville officials were willing partners in the negotiations for necessary infrastructure. The acreage is less than that originally indicated in the Department's desirable criteria (200-300 acres), and what was reviewed during the second round of siting for this complex (130 acres). This is possible due to elimination of the need for a large regional warehouse on this particular site, configuration of the property itself, and the available natural buffering (such as the wetland area to the west which is not expected to be developed).

- C The Governor issued a statement indicating after careful review, the Day Road site did have advantages over the Dammasch State Hospital site, including strong community support, a better transportation connection to Interstate 5, and the potential of bringing infrastructure to land targeted for industrial development. His statement announced that he favored the Day Road site; however, to move to that site would require action by the legislature during a special session, anticipated between July 27th and August 7th. (The super-siting law does not contain a provision to "un-site" Dammasch.)

July 1998

- C President Adams appointed a Senate Special Committee on Prison Siting to study whether the Women's Facility and Intake Center should be built in the Wilsonville area or somewhere else. It was suggested that the special session be delayed until mid-November.

October 1998

- C The Senate Special Committee issued its report recommending the Women's Prison / Intake Center be constructed in Umatilla, on the same site as the Two Rivers Correctional Institution.

December 1998

- C The court ruled that the Emergency Board action approving the expenditure limitation to authorize construction of the facility was appropriate. This decision was appealed in January 1999.

1999 Legislative Assembly

- C Senate Bill 3 was passed by both Houses requiring the Women's Prison and Intake Center Complex (WPIC) be built at the site of the Two Rivers Correctional Institution, in Umatilla. The Governor vetoed the bill.

- C Passage of SB 5502, SB 5527, and SB 5506 provided the authority for DAS to issue Certificates of Participation for funding of the Women's Prison and Intake Center Complex; new capital construction expenditure limitation; and debt service on the certificates; - for a facility to be built anywhere in the state except on the Dammasch property.

- C Senate Bill 686 was adopted and signed by the Governor which set up a new expedited super siting process for the Women's Prison and Intake Center Complex.

House Bill 3446 was adopted and signed by the Governor which required the Dammasch property be transferred to the Department of Administrative Services and sold to provide housing for the mentally ill.

August 1999

- C The Governor issued Executive Order # 99-12 directing the Director of the Department of Corrections to begin the siting process outlined in SB 686 for the WPIC in Clackamas, Multnomah, or Washington County.

- C Within 30 days from the date of the order (August 20th) the Director must issue a final report to the Governor on the site proposed for the complex.

- C A petition was filed for review of the constitutionality of Senate Bill 686.