

1000 FRIENDS OF OREGON

400 DEKUM BUILDING, 519 S.W. THIRD AVENUE, PORTLAND, OREGON 97204 (503) 223-4396

May 5, 1982

Governor Victor Atiyeh
State Capitol
Salem, OR

Dear Governor:

As you know, the Rajneesh Neo-Sannyas International Commune has sought approval from Jefferson and Wasco Counties for a 5,000-person outdoor mass gathering to be held from June 22 to July 18, 1982 on the commune's Muddy Ranch. On April 14, 1982 Wasco County issued a mass gathering permit. On April 28, Jefferson County rejected the request.

Jefferson County denied the permit request because the applicant had not shown that the proposed festival is permitted by the county's zoning and the LCDC goals.

However, the Rajneesh Commune is going forward with its plans, based on the Wasco County approval. It has obtained a permit from the Department of Environmental Quality for a sewage treatment facility, and approval from the Health Division of plans for a 5,000-person water supply system for the festival.

Although all these approvals and permits are labelled as "temporary", they allow the commune to install, and keep in place after the festival, key portions of an urban-scale sewer and water system.

On behalf of Earl Smith, who is chairman of the Oregon Department of Agriculture, and other area ranchers, we asked the Wasco County Court to determine whether LCDC's goals allow a 5,000-person mass gathering on part of Muddy Ranch's best, flat land at the height of growing season. We pointed out that it was our view that such a use is not a lawful use under exclusive farm use zoning, and asked for an opportunity to make our case. Wasco County refused to hold a hearing on the issue and failed to apply the goals or zoning.

We then asked DEQ and the Health Division to determine whether the proposed sewage treatment plant complies with the goals. We requested an opportunity to be heard, either before

Governor Victor Atiyeh
May 5, 1982
Page Two

the county or these agencies, and to submit evidence and argument on the applicable LCDC goals.

However, DEQ and the Health Division issued their approvals without such a hearing. Both agencies relied on the fact that Wasco County had approved the mass gathering with these sewer and water facilities. However, as I mentioned, the county never decided whether the goals allowed mass gatherings when it issued the mass gathering permit.

It is my belief that this kind of buck-passing by responsible county and state authorities has contributed to the sense of outrage felt by many in central Oregon and around the state. The notion that government isn't doing its job on this difficult matter is, in my opinion, the biggest reason for the growing atmosphere of potential violence in Wasco and Jefferson County. People don't understand how sewers, water systems and 5,000-person mass gatherings can happen in an exclusive farm use zone. People expect somebody in government to at least make a decision -- bad, good, or indifferent.

So far, that hasn't happened. However, the opportunity still exists for the state agencies involved to suspend the approvals pending a hearing at which they would determine whether the sewer and water systems comply with the goals. This letter is to request that you ask the Department of Environmental Quality and the Health Division to promptly hold such hearings.

Because these agencies may be unfamiliar with the permissible uses in areas zoned exclusive farm use, I also request that you ask the Department of Land Conservation and Development to submit its opinion on the matter to DEQ and to the Health Division.

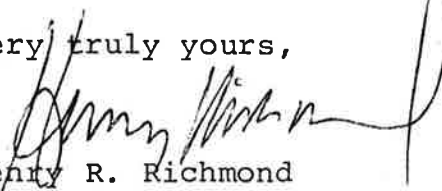
Finally, because these facilities all would serve the unlawfully approved mass gathering, I request that you use your good offices to point out the need to Wasco County to rescind their previously issued mass gathering permit pending their hearing on the question of whether the mass gathering is allowed in an EFU zone. If the county refuses

Governor Victor Atiyeh
May 5, 1982
Page Three

this request, I further request that you ask the Attorney General to bring appropriate proceedings in Wasco County Circuit Court to enjoin the festival until Wasco County applies the statewide planning goals and its own land use regulations to the proposal.

Copies of our correspondence with the county and state officials, of state agency approval letters and of Wasco County's mass gathering permit are attached to this letter. Further, staff attorney Robert Stacey of our office has scheduled a meeting for tomorrow morning with Bob Oliver and Pat Amedeo to brief them on these matters.

Very truly yours,



Henry R. Richmond
Executive Director

HRR/cms
enclosures
cc: Bob Oliver
Pat Amedeo
Bill Young
Kristine Gebbie