

# CITIZEN INVOLVEMENT QUARTERLY

*Serving Communities With In-Active Citizen Participation Organizations (CPOs)*

**CPO 11** (Gaston, Laurel, Cherry Grove) ▪ **CPO 12C** (Cornelius) ▪ **CPO 12F** (Forest Grove)  
**CPO 13** (Gales Creek, Roy, Verboort) ▪ **CPO 14** (Banks, Buxton, Timber, Manning)



Oregon State University Extension Service supports CPOs through an intergovernmental agreement with Washington County, the sole funder of the CPO program. Extension CPO coordinators provide information on land use and livability issues, resource referrals, and work with CPO members to increase understanding of public policy and decision-making processes.

This newsletter material was developed by OSU Extension Service and is forwarded to you as part of the Extension Service's support to citizen involvement in local government. Washington County administration, departments, and/or officials claim no responsibility, expressed or implied, for the content of this document.

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## County Land Use Appeal Fees Dropped to \$250

In early June, the Washington County Board of Commissioners approved the 2007-2008 fee schedule with a revised fee for appealing land use permit decisions. The new fee is \$250 for appeals of **Type II land use permit decisions** at the county level. The initial proposed appeal fee schedule called for \$1450 (rural) and \$1864 (urban).

The change brings the county's charges in compliance with Oregon state law (**ORS 215.416(1)(b)**) which states that the maximum fee for an initial appeal shall be the lesser of \$250 or the cost to the local government of preparing for and conducting an appeal. In addition, the statute states that the appeal fee is to be refunded if those appealing the initial decision prevail. The statute also prescribes that appeal fees cannot be charged to neighborhood or community organizations recognized by the governing jurisdiction.

The fee schedule change was precipitated by a Land Use Board of Appeals (LUBA) decision which found that Washington County was not in compliance with state law when it charged more than \$250 for appealing land use permit decisions and that it should refund the Meadow Neighborhood Association \$1550 in excess fees the association paid to have a Type II land use permit decision appealed at the county level.

The county had until mid-May to appeal the decision; Chris Gilmore, county counsel, said that the county decided not to challenge the LUBA ruling.

LUBA handed down the appeals fee decision on April 23 as part of an appeal filed by the Meadow Neighborhood Association on a Type II decision made by Washington County that permitted a service station to expand significantly to include a proposed car wash; the property is located at SW 91<sup>st</sup> and Beaverton Hillsdale Highway. The neighborhood association initially filed an appeal at the county level which was heard by a hearings officer who denied the appeal. Meadow Neighborhood Association then worked with an attorney to represent their interests at the LUBA appeal. LUBA found in favor of the appellants and remanded the decision to permit the car wash back to the county.

The \$250 appeal fee cap does not apply to **Type II limited land use decisions** involving subdivisions and partitions within the urban growth boundary or "the approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review." (**ORS 197.015 (13)(b)**)

To read the statute relating to appeal fees, go to <http://landru.leg.state.or.us/ors/215.html>. To review the LUBA ruling, go to <http://www.oregon.gov/LUBA/docs/Opinions/2007/04-07/06222.pdf>.



## Bicycle Ride to Collect Oregon Land Use Stories

The Oregon Land Use Stories Project, a 40-day, grassroots, citizen-involvement effort, is on the road. Two Portland State Masters of Urban and Regional Planning (MURP) students started traveling around the state by bicycle on June 29<sup>th</sup> to engage in conversation with citizens about land use and Measure 37.

George Zaninovich and Mathew Berkow will journey over 1,000 miles through every major population center in Oregon to better understand what Oregonians want for the future of the state land use system in the midst of the divisive and polarizing era of Measure 37.

They will speak with a wide variety of citizens, including ranchers, farmers; Measure 37 claimants, and neighbors of claimants. Their intention is to write a narrative that captures the diverse perspectives they encounter. This 'storybase,' as opposed to the ever-expanding database of Measure 37 claims, can serve the public by providing a more accessible avenue for understanding this issue. Zaninovich and Berkow are partnering with Oregon Public Broadcasting (OPB) who will air interviews and provide web content that follows their trip in order to make the stories they collect accessible to people throughout the state.

Momentum has been building behind this project. The students have received emails from people around the state wanting to tell their story. They intend to submit a report to the Oregon Big Look task force in the fall.

In addition to the bike and talk trip, Zaninovich and Berkow set up a website featuring a survey and a discussion board where people can tell their story, write about what is uniquely Oregon, and/or ask questions about planning basics.

The website also includes a discussion topic around planning basics in order to help create a dialog about planning in the state, as this seems to be a topic around which there is much confusion. They are hopeful that planning professionals will participate in the discussion with the general public.

**To join in the discussion, go to [www.landusestories.org](http://www.landusestories.org) and click on "survey" or "storybase" to follow the discussion, ask an intriguing question, or post a response. If you have comments, suggestions for people to contact, would like to support the effort or if you'd just like more information about the Oregon Land Use Stories Project, please visit the site at or email Zaninovich and Berkow at [landusestories@gmail.com](mailto:landusestories@gmail.com).**

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## ODOT planning Hwy 219 project at Brown's Corner and Wolsborn Curve

The Oregon Department of Transportation is planning a project on OR Hwy 219 between mile points 8.5 and 9.8 and includes the areas commonly called Brown's Corner and the Wolsborn Curve. Construction is planned in 2010. As part of the development of the project, a land use review has been requested from Washington County.

The proposed project's primary purpose is to improve safety by realigning the highway with a lesser curve at Brown's Curve (MP 8.7). At this curve between 2001 and 2005, there were 20 crashes, including one fatality and 13 injuries. This location is a top ten per cent Safety Priority Index Site (SPIS). Most crashes involve vehicles hitting fixed objects during daylight hours on wet or icy pavement.

The majority of crashes were attributed to driving too fast for the conditions. Installation of chevron signs has not solved the safety problem at this curve. The computed crash rate is 4.57 crashes per million vehicles miles traveled, which is more than four and one half times the 2005 statewide average of 0.98 crashes per million vehicles miles on similar Rural Minor Arterial.

In addition, the project will improve stopping sight distance at the Wolsborn Curve (MP 9.7) by improving visibility on the inside of the existing curve. At this curve between 2001 and 2005, there were eight crashes including no fatalities and six injuries. Half the crashes were from vehicles hitting fixed objects and the other half were head-on. All four head-on crashes involved motorists traveling too fast for the conditions. The computed crash rate is 2.96 crashes per million vehicles miles traveled, which is nearly three times the 2005 statewide average of 0.98 crashes per million vehicles miles on similar Rural Minor Arterials.

## Contentious Land-Use Ballot Measure Heads to Voters in November

The November 6<sup>th</sup> special election will include Measure 49 which seeks to modify Measure 37 (passed by voters in 2004) to give landowners who have filed Measure 37 claims the right to build homes as compensation for land use regulations imposed after they acquired their properties.

The following information has been taken from the Oregon Secretary of State's explanation of the ballot measure. To review the full text and explanatory statements, go to [www.sos.state.or.us/elections/nov62007](http://www.sos.state.or.us/elections/nov62007)

**Measure 49** modifies Measure 37 to give landowners who have filed Measure 37 claims the right to build homes as compensation for land use regulations imposed after they acquired their properties. The measure has the following provisions:

- Claimants may build up to three homes if allowed when they acquired their properties.
- Claimants may build up to 10 homes if allowed when they acquired their properties and they have suffered reductions in property values that justify the additional home sites.

To streamline the approval process for small claims, this measure provides that those who choose to apply for up to three homes need only show they had the right to build the homes they are requesting when they acquired their property.

To validate larger claims, this measure requires those who choose to apply for four to 10 homes to show they had the right to develop the homes they are requesting when they acquired their property and that they have suffered a loss of value from prior regulations that justifies the number of homes requested. Appraisals are required to establish such reductions in value. The costs of appraisals and other costs of preparing claims may be added to the calculation of reduced values, up to \$5,000 per claim.

This measure protects farmlands, forestlands and lands with groundwater shortages in two ways.

- First, subdivisions are not allowed on high-value farmlands, forestlands and groundwater restricted lands. Claimants may not build more than three homes on such lands.
- Second, claimants may not use this measure to override current zoning laws that prohibit commercial and industrial developments, such as strip malls and mines, on land reserved for homes, farms, forests and other uses.

Also, this measure expands homebuilding rights under Measure 37 in two ways.

- First, it extends homebuilding rights to surviving spouses whose claims are not eligible for compensation under Measure 37.

- Second, it allows claimants to transfer their homebuilding rights to new owners, a right not clearly provided by Measure 37. The new owners must exercise their homebuilding rights within 10 years.

Claimants will be notified of their options to build homes under this measure within 120 days after this measure takes effect. Claimants who have received land use waivers under Measure 37 are entitled to complete developments under the provisions of Measure 37 if they have established vested rights to do so.

This measure establishes an ombudsman to help landowners who request assistance with their claims.

This measure modifies Measure 37 for compensation claims that arise from land use regulations in the future. It authorizes such claims based on regulations that limit residential uses of property or farm and forest practices, requires documentation of reduced values and provides for proportionate compensation when such reductions in value occur. Property owners will have five years to file claims over regulations enacted after January 1, 2007.

If passed by voters, the measure will be effective 30 days after approval.

**Ballots will be mailed to voters October 19<sup>th</sup> -23<sup>rd</sup>. All ballots must be received on or before election day, November 6<sup>th</sup>.**



*When you get ready to vote,  
make sure you know what you  
are doing.  
Robert Hunter*



## Sheriff's Office Citizen Academy

The Washington County Sheriff's Office Citizen Academy provides an educational opportunity for citizens of Washington County. Through the Citizen Academy all participants gain a first hand understanding of how the Sheriff's Office conducts its law enforcement operations and how citizens can increase the effectiveness of law enforcement within their communities.

The Sheriff's office recognizes that citizens are a crucial component in effective policing and offer the academy as a way for them to gain hands on experience. It also gives participants a greater understanding of the Sheriff's Office role as "Conservators of the Peace" and a chance to bring the information back to their community.

**The next Citizen Academy begins on Tuesday, September 11, 2007, and concludes with a graduation on Tuesday November 6, 2007, Classes are held every Tuesday evening from 6:00 p.m. to 9:30 p.m., with two weekend classes during each academy. Classes are typically held at the Sheriff's Office, which is located at 215 SW Adams Avenue in Hillsboro.**

Graduates of the Sheriff's Office Citizen Academy are not Deputies or Reserve Deputies and have no powers of arrest.

To be eligible, participants must be at least 18 years of age and live in Washington County. They must also attend at least nine of the eleven classes offered to qualify for graduation. Each academy is limited to 35 students, so please check your schedules carefully before applying for the course.

The Citizen Academy offers a 50-hour training program that combines classroom and "hands-on" instruction. The classes give citizens an opportunity to observe the inner workings of their Sheriff's Office. Students use police equipment, participate in jail activities, and interact with trainers who are among the best in the State. Sheriff's Office personnel from many departments explain and demonstrate the duties and responsibilities of their jobs. Participants tour the Sheriff's Office and other criminal justice facilities as part of the academy. The academy is based on a collaborative approach; questions and comments are encouraged throughout.

Topics covered in the academy include deputy selection and training, specialized duties and units, jail operations, patrol operations, security, investigations, tactical operations, use of force and deadly force, vice and narcotics, crime scene investigations, and crime prevention.

Emphasized throughout the academy are the opportunities for citizens, the community, and the Sheriff's Office to develop partnerships that foster effective policing.

The academy has been in effect for approximately four years and has graduated lawyers, reporters, commissioners, business owners, stay at home parents, and teachers. The majority of graduates remain involved with the Sheriff's Office through the Citizen Academy Alumni association.

For additional information, or to apply online, please visit the Citizen Academy website located at: [www.co.washington.or.us/sheriff/citizens/academy.htm](http://www.co.washington.or.us/sheriff/citizens/academy.htm). Additionally you may pick up an application at the Sheriff's Office, which is located at [215 SW Adams Avenue](#) in Hillsboro or at our East Precinct, which is located at [3700 SW Murray Boulevard](#) in Beaverton.

For any additional information please contact Darlene Schnoor at 503-846-2694 or via email: [darlene\\_schnoor@co.washington.or.us](mailto:darlene_schnoor@co.washington.or.us).



## CPO Email News and Discussion Group

*CPOTalk*, an email news and discussion group for CPO members, focuses on land-use and livability issues in Washington County. Sign up to receive the latest information on land use and livability in Washington County. Regular postings include articles from local newspapers, state legislative updates, and local/regional/state reports relating to land use and livability.

To sign up for *CPOTalk*, go to <http://lists.oregonstate.edu/mailman/listinfo/cpotalk>

To keep email messages to a minimum, you can elect to receive messages in digest form (one email a day with all messages received within a 24-hour period). For more information, contact Patt Opdyke, CPO Coordinator, 503-725-2117.

## New Economic Study Examines Effect of Land-use Laws on Property Values

A new analysis of land values in Oregon finds no evidence that the state's land-use regulations have caused a generalized reduction in property values.

The study, published by Oregon State University economists William Jaeger and Andrew Plantinga, examines the ways in which land-use regulations and Oregon's land-use planning system may affect property values.

"Despite the widespread belief that most land-use regulations have negative effects on property values," Jaeger said, "economic reasoning suggests that the opposite may be true."

The economists explain that land-use regulations, in general, can have three potential effects on land values: restriction effects, amenity effects and scarcity effects. The effect of restricting development likely will be negative, but the effects of scarcity and the amenities associated with regulated development can have a positive effect, potentially offsetting the negative restriction effect.

Jaeger and Plantinga examined the levels and trends of land values in parts of Oregon over the past 40 years, beginning before Oregon's land-use planning system was in place. They compared land value patterns for restricted and developable lands, and compared patterns in Oregon with patterns for similar areas in Washington State, where land-use planning has only recently been enforced.

The researchers found that:

- Land values (adjusted for inflation) have generally risen since the introduction of Oregon's land-use planning system in 1973, both for rural lands zoned for farm and forest use and for developable lands inside and outside of urban growth boundaries;
- Since 1973, when Oregon's land-use planning system was adopted, the rate of change in land values in Oregon has been about the same as for similar lands in Washington;
- Lands with the most stringent development limits (such

as those with exclusive farm or forest use zoning) have increased in value at about the same rate as lands without such restrictions;

- In the Lane County sample, the value of lands outside the Eugene urban growth boundary (UGB) grew slightly faster than properties inside the UGB;
- There is no evidence of slower rates of increase overall for the Oregon lands studied compared to lands in the Washington counties studied.

"Our results are consistent with the design of Oregon's land-use planning system and with economic principles," Plantinga said. "Oregon's land-use planning system is not intended to limit the amount of development that occurs, but rather it is intended to influence the location of development in ways that are consistent with various land-use planning goals.

"Sprawl or scattered development can raise costs for public services and infrastructure and produce adverse effects when incompatible land uses (e.g., farming and residential) are mixed," he added.

In addition, government programs such as Oregon's special tax assessments for farmlands are likely to be "capitalized" into land prices, raising them by as much as 14 percent on average.

These findings are consistent with results from other economic studies that have found often-substantial positive amenity and scarcity effects that can offset some or all of the negative restriction effects associated with land-use regulations.

To view the complete report, see: <http://extension.oregonstate.edu/catalog/pdf/sr/sr1077.pdf> .  
An audio interview with Dr. William Jaeger and Dr. Andrew Plantinga is available at:  
<http://extension.oregonstate.edu/eesc/media/landvalue.mp3>

## Aggressive Japanese Knotweed Requires Persistence to Eradicate

Most destructively invasive weeds didn't start out that way. Typically, they developed in an area where, over a long period of time, other plants or animals or environmental conditions kept them in balance with the rest of the landscape.

But in a new setting, without those natural constraints, they can sometimes disperse uncontrollably and muscle their way to complete dominance, crowding out native plants to form a dense monoculture.

Originally imported as a garden ornamental into North America from Asia in the 19th century, Japanese knotweed has become a botanical bully in North America. Together with its close relatives giant knotweed and Himalayan knotweed, these species form a complex of unwelcome intruders that can move in and take over.

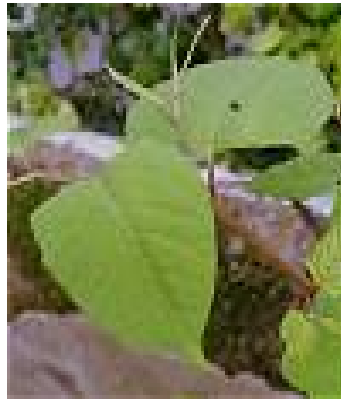
"Japanese knotweed has become a nightmare along our waterways in western Oregon, Washington and British Columbia," explained Chip Bubl, Oregon State University Extension Service horticulturist and staff chair in Columbia County. "It spreads by root pieces or green stalks that have been cut and discarded. I've even seen beaver moving stems onto their dams where they sprout more knotweed."

Japanese knotweed (*Polygonum cuspidatum*) is an herbaceous perennial that grows to heights of eight to 10 feet. Its early spring shoots look a bit like asparagus (and are actually edible.) At full growth, the stalks become woody and look like thin bamboo. It has profuse foliage with many stems and oval-shaped leaves in varying shades of green. The late summer flowers are showy white panicles. These are followed by attractive seed sheaths that are greenish-white and papery.

The plant tends to show up in disturbed areas, such as roadsides, old homesteads and vacant lots. It's also well adapted to stream banks, where the current carries root pieces downstream to spread the infestation.

Getting rid of knotweed is not easy and requires a persistent effort over a period of time. If you leave any living root pieces at all, it springs back with vigor. The non-chemical approach combines cutting, covering and sometimes, digging. The first step is to cut an existing stand to the ground, being careful to remove all the woody stems, which become sharp-pointed stubs when they're cut. If done in the winter, the stems are dead and pose no threat to sprout. If you want to attempt cutting it during the growing season, when the plant has green shoots, remove all the cut vegetation and bag or burn it. It's definitely not suitable for composting, which has

been responsible for inadvertently spreading it to new areas. Next, cover the area with one or more very heavy plastic tarps or landscape fabrics. Double check first to be sure there are no leftover pointed stubs to puncture the tarps. Take care to extend the tarps at least 10 feet beyond the cleared area and to overlap the tarps by at least a foot. Weight the edges and overlaps securely with rocks or other weights. Knotweed rhizomes are aggressive growers and will seek out gaps or edges even at some distance. If you do this step in the fall, you can be sure it's done in time to thwart the new spring stalks. If you don't want to look at the tarp all winter, you can cover it with bark mulch. Be careful along stream banks as high winter water will dislodge the tarps and send them downstream.



**Japanese Knotweed**

The third step (optional) is to dig up the rhizomes (underground shoots), the main way knotweed spreads. A new plant can develop from even a tiny piece of root, warns Bubl. Rhizome clusters can be large, as much as a foot across, and can send out runners for many feet. Like the cut vegetation, rhizomes should be shredded or burned, definitely not composted.

"Repeat this process each year, without taking vacations, and you have a chance of controlling knotweed in this manner," says Bubl.

If you choose to spray a mature knotweed, it's most effectively done in the fall, when the plant is sending food to the rhizomes for winter storage. Glyphosate herbicides have had good results, especially if you get good coverage of the leaves in the stand. This can be a challenge if the plants are 10 feet tall. Ladders help when spraying vigorous stands. Usually, there will be some re-growth the following year and possibly for several years afterwards. These need to be treated as well. Follow the label directions when using any herbicide.

People do eat young knotweed stalks in the spring. You can see recipes, as well as good photographs of knotweed, at <http://www.econetwork.net/~wildmansteve/Plants.Folder/Knotweed.html>. However, this plant grows and spreads too quickly for eating to be an effective means of control.

## Up-to-Date Canning Books and Recipes Essential for Food Safety

Throw Grandma's old canning recipes away if you want to avoid food-borne illnesses, say Oregon State University food safety experts. In fact, any pre-1988 canning or food preservation recipes are considered unsafe, they point out.

If you are going to preserve your own foods this summer it is important to use up-to-date food preservation methods and processing times. The OSU Food Preservation/Safety hotline opens July 16 and continues through Oct. 11, operating Monday through Thursday from 9 a.m. to 4 p.m. (except holidays). OSU faculty and trained volunteers will staff the hotline, which is 1-**800-354-7319**.

"Food preservation is a science, and it is always changing to assure safety with new varieties of produce, new strains of microorganisms and new products emerging on the market," explained Carolyn Raab, family and community development faculty with the OSU Extension Service.

"If this is the first time you are preserving foods or if you haven't done it for a while, be sure to use up-to-date reliable instructions," advised Nellie Oehler, also with OSU Extension.

Some processing time recommendations have increased. Also, "open-kettle" canning – where food, jars, and lids are all hot and food is not processed – and oven canning are no longer considered safe. Some ingredients have changed and additional bacteria are causing concern in foods that aren't preserved.

"Just because the food is in a jar and the jar seals it, does not mean that it is safe," said Oehler. "This actually could make the product lethal."

If low-acid foods (meats, fish, vegetables, and poultry) aren't processed properly, *Clostridium botulinum* bacteria can grow in the sealed jar and produce a deadly toxin. Recent cases of botulism have been linked with under-processed soup and stew in Oregon.

Volunteers and staff in the Lane County office of the OSU Extension Service in Eugene have been operating a statewide Food Safety/Preservation hotline for several

years. They receive calls from people who are still using outdated canning books, says Oehler.

"There are a lot of old canning books on kitchen and library shelves, where they will continue to pose a threat to health," she said. Food safety experts with the U.S. Department of Agriculture recommend the use of references with copyright dates after 1988.

The hotline staff can answer questions about:

- Safe canning methods for fruits, vegetables, meats, fish and poultry;
- Freezing foods safely;
- Food drying and using dried foods, including making fruit leathers;
- Pickling concerns and tested recipes;
- Jam and jelly problems and tips;
- Emergency food and water storage;
- How much produce to buy and the varieties good for preserving;
- Food safety concerns.

Each of the volunteers staffing the hotline has completed a 40-hour course in food preservation and safety and has passed a certification exam.

For more information visit the OSU Extension Service's Lane County office website:

<http://extension.oregonstate.edu/lane/food-preservation>.

The website has extensive information about food preservation topics, seasonal food safety tips, an "ask an expert" feature and links to food preservation publications.

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## OSU Offers DVD/Workbook on Succession Planning for Woodland Owners

### *Ties To The Land Program*

Passing forest land onto the next generation is a process with financial, legal and emotional dimensions. To be successful you must actually transfer three things, all of which require family communication:

- The land itself
- A commitment to good management
- A passion for the land.

*Ties To The Land*, a DVD facilitated workshop and workbook, provides the information and support needed to explore these elements of succession planning. The Oregon-developed program is designed for use in a workshop setting, facilitated by a local host. Interested groups and organizations can utilize *Ties To The Land* to develop and deliver succession planning programs to family woodland landowners and tree farmers.

To learn more about the workshop DVD and how to bring this program to your area or group, go to

[www.familybusinessonline.org/resources/ttl/events/events.htm](http://www.familybusinessonline.org/resources/ttl/events/events.htm)



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**CPO NEWSLETTER  
 TIME SENSITIVE**

**Interested in starting a CPO in your area?**

*Please call us to discuss how we can make that happen.*

*For the Forest Grove, Cornelius,  
 Gales Creek, Roy, Verboort areas,*

*For the Banks, Manning, Timber,  
 Buxton, Gaston, Laurel, and  
 Cherry Grove areas,*

contact  
 Linda Gray  
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