



Save Helvetia  
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[www.SaveHelvetia.org](http://www.SaveHelvetia.org)

*Advancing policies, leaders and actions  
that protect Helvetia's treasured resources*

April 9, 2017

TO: Senate Committee on Environment and Natural Resources  
senr.exhibits@oregonlegislature.gov

**Subject: Opposition to SB 186**

Honored Members of the Committee,

**We are writing on behalf of the Board of Directors of Save Helvetia regarding the reasons why we ask you to vote NO on SB 186.**

Save Helvetia's interest in the bill is two-fold: First, this bill reverses approximately 100 acres of farmland north of US-26 in Washington County from previously designated rural reserves to urban reserves. This land is located on Helvetia's eastern side and is a new request by landowners to change their designation. By urbanizing this farmland, Helvetia's agricultural lands are diminished, threatening the viability of our local agricultural economy. Second, this bill reverses approximately 1,500 to 1,700 acres of farmland consisting of Class 1 and 2 soils south of US-26 from rural reserves to urban reserves. This large block of Foundation farmland provides connectivity to Helvetia's farmland directly to the north; without it, Helvetia's farmland becomes an island surrounded by urbanization. The loss of this excellent farm land to urbanization will have a permanent and detrimental impact on the future of the farm economy in Washington County

**In addition, Save Helvetia is opposed to SB 186 for the following reasons:**

**SB 186 Violates the "Grand Bargain" settlement agreement**

- SB 186 violates the good faith negotiations that resulted in the Grant Bargain. The "Grand Bargain" was an extra-ordinary state intervention into a county's land use authority. The legislature was only sitting for six weeks in 2014. The court issued its ruling in late January, 2014. The State of Oregon faced the prospect of lost time and tax base if development was held back several additional years. Into this window, creative legislative leadership devised the mechanism to protect farmlands as rural reserves, while moving other lands forward for development. This won bipartisan and statewide support in the legislature. This does not, however, constitute a precedent and SB 186 does not resonate with the level of emergency or statewide benefit.

- At the end of the settlement, the Oregon Legislative Committee Chairperson, Representative Val Hoyle, had every jurisdiction come up and promise that they accepted the settlement and would live with it - including Washington County and Hillsboro. SB 186 violates the principle of the “Grand Bargain” by allowing individual landowners and groups of landowners to have their land treated specially. That is not good planning. It does not protect our local food supplies and Oregon’s #2 industry.

### **SB 186 Violates SB 1011 and its associated Administrative Factors**

- SB 186 proposes to designate two areas in Washington County as urban reserves. This action violates OAR 660-027-0060 (2)(a)(b)(c) and (d) as follows:

- (a) These lands are close by a UGB and are potentially subject to urbanization
- (b) These lands are capable of sustaining long-term agricultural operations
- (c) These lands have suitable soils where needed to sustain long-term agricultural operations and have available water where needed to sustain long-term agricultural operations. In fact, these areas have the highest percentage of Class 1 and 2 soils remaining anywhere in Washington County.
- (d) Are suitable to sustain long-term agricultural operations. For farm land, the existence of a large block of agricultural land with a concentration or cluster of farm operations. The 1,500 acres of Foundation farm land located to the the south of US-26 constitutes a large block of excellent agricultural farm land. Farmers from south of US-26 farm on the north side to maximize the efficiency of their operations. Urbanizing it would lose the connectivity that this block of land forms with the farmland to the north in Helvetia.

- Using the Oregon Department of Agriculture criteria in SB 1011, these lands met the criteria as rural reserves. The “Grand Bargain” simply applied the legal criteria in the Administrative Rules that Washington County should have used but chose not to. SB 186 should not be the vehicle now used to circumvent the findings of the Court of Appeals and the subsequent adjustment by the Legislature.

- SB 186 threatens the connectivity of large blocks of agricultural farm land using simplified criteria, without appropriate citizen involvement, while taking away any method of redress. That is simply wrong.
- The mission of the Reserves process was to advance a public good, setting aside lands and protecting lands for urbanization and protecting agriculture for a substantial duration. SB 186 lacks a public good “mission”, while detracting from the Reserves process itself.
- The Reserves process was promoted as providing farmers and landowners the essential “certainty” needed for agricultural or forestry business plans and for those awaiting urbanization. SB 186 dashes certainty and replaces it with a monopoly game of chance.

### **SB 186 Violates Goal One of SB 100**

- Utilizing legislative action to make land use decisions on specific parcels of land as requested by individual landowners prevents the robust citizen involvement process required by Goal One of SB 100. While the legislature has a citizen involvement process, it lacks notice, involvement in the planning and input opportunities

for citizens required by Goal One that are enshrined in county ordinances for local land use planning. SB 186 might require counties to violate their citizen involvement ordinances.

- SB 186 would take away the right of appeal, an established system of redress, a valuable check and balance in the scheme of land use planning. The development of standing and the right to appeal to a higher level of review helps our land use system remain robust. This is quality assurance. It helps governments follow the law and its ordinances. Citizens and advocacy organizations bring forward detailed information and perspective about lands and issues that governments might be more distant from.

***We urge you to follow the the process of our established system of land use planning and vote NO on SB 186.***

Respectfully,

Cherry Amabisca, President

Robert Bailey, Secretary

cc: Save Helvetia Board of Directors  
Save Helvetia Steering Committee

