



Forest Park Neighborhood Association
C/O Neighbors West Northwest
2257 NW Raleigh
Portland, Oregon 97210

February 6, 2018

House Agriculture and Natural Resources Committee
900 Court Street NE
Salem, OR 97301

Re: Forest Park Neighborhood Association strongly opposes HB 4075

Dear Chair Clem and Members of the House Agriculture and Natural Resources Committee,

Forest Park Neighborhood is unique. Our boundaries touch W. Burnside Road on the south and cross NW Cornelius Pass Road on the north. The neighborhood includes Forest Park, a long piece of City of Portland that extends around the park, and a broad swath of unincorporated Multnomah County down to the edge of Washington County.

Our neighborhood strongly opposes HB 4075, which seeks to convert 1700 acres of Rural Reserve land with foundation farmland into Urban Reserve.

There are four core reasons why HB 4075 is a bad idea:

1. Local governments are better equipped to make local land use decisions than the legislature. The extensive research, study, and citizen input on candidate Urban and Rural Reserve areas undertaken by local governments over several years demonstrates why these decisions should be made by local governments and not the state legislature. Local governments understand local conditions and have capacity for extensive, long term projects to evaluate the lists of factors for Urban and Rural Reserves and can include broad citizen involvement. The legislature isn't well equipped for this kind of work and would be wrong to try to replace functioning local government systems that are also much more convenient for participation by affected citizens.
2. Local governments, farmers, foresters, and citizens were promised that Urban and Rural Reserves would provide long term (40 to 50 years) certainty. Introduction and consideration of legislation like HB 4075 breaks that promise and eliminates the promised certainty. This is harmful to both urban and rural areas. If the legislature were to start changing Reserve boundaries to help small groups achieve windfall profits, there is no end to it. Consideration of these bills undermines everyone's confidence in the promised stability of Reserves boundaries.
3. There is no need for additional Urban Reserves. Metro Ordinance 17-1405 analyzes the current Urban Reserves and the 2014 Urban Growth Report, and concludes

"Based on the analysis and projections provided in the Metro staff memorandum dated February 22, 2017, the Metro Council concludes that the existing 23,031 acres of urban reserves across the region, combined with buildable land already inside the UGB, will

provide a sufficient amount of land for urban growth in the region until 2065.”

4. Adoption of HB 4075 could put the current Reserves designations at risk. In 2014, the legislature adopted HB 4078 (supported by all three counties and Metro) to resolve the Oregon Court of Appeals remand of the original Washington County reserves decisions. The changes to reserves boundaries in HB 4078 had to be addressed in Metro’s response to the other elements of the 2014 Court of Appeals remand, to explain why the requirements of SB 1011 were still met. Those new explanations, simply because they are new, are likely to be tested by new appeals. If the response to the remand, recently submitted by Metro and the 3 counties, is again remanded by any court, then the additional reserves alterations in HB 4075 would be yet another change that would need to be addressed, and would create another basis for further legal appeals. The current remand has effectively blocked UGB expansion. Please do not add any additional barriers or legal uncertainty to final resolution of legal challenges to our existing Reserves designations.

Because the Portland region’s Urban Growth Boundary (UGB) winds through our neighborhood, until 2007 we were studied every 5 years for possible UGB expansion, even though the rural portions of our neighborhood are poor candidates for an efficient, cost effective new urban area. Our hills are steeply sloped, laced with healthy headwater streams and filled with high quality wildlife habitat that helps keep Forest Park healthy. Roads over these hills are limited by the topography, landslide hazards, and Forest Park. Transit service is virtually non-existent, and long distances and steep hills severely limit walking and cycling for transportation purposes. The landscape can’t accommodate an urban road grid, and our limited roads are already congested with “through” commuter traffic between Portland and Washington County.

We were happy to learn, in 2006, that Metro was considering alternative approaches for future UGB expansion. In 2007, we were delighted to work with Rep. Mitch Greenlick and then Senator Avakian to support SB 1011, which created a new system of Urban and Rural Reserves for the Portland area. Urban Reserves were designed to accommodate 50 years of urban growth in areas suited to “Great Communities” and that can be provided with urban services by a city. Rural Reserves are to be off-limits to urban growth for 50 years, in areas identified by counties as regionally significant farm and forestry lands, or for natural landscape features.

One of the core promises of Urban and Rural Reserves was long term certainty for everyone. Cities can provide more efficient urban services because they know how to size infrastructure because they know where urban growth will and will not be going. Cities can engage their citizens in long term urban planning for growth, helping them create Great Communities. Farmers and foresters in Rural Reserves can confidently invest in new irrigation systems, barns, and mechanical equipment. Unfortunately, a few people who didn’t get what they wanted out of the original process are now going to the legislature, and year after year there is legislation that would alter local urban and rural reserves decisions. This undermines the promised certainty.

Forest Park Neighborhood actively participated in the Urban and Rural Reserves process in Multnomah County and at Metro. I was honored to serve on the Multnomah County Urban and Rural Reserves Citizen Advisory Committee (CAC), a citizen panel that met 16 times between May 2008 and July 2009. Those meetings were all over 2 hours long, and some ran to 3 or 4 hours. The CAC utilized many detailed studies, maps, and aerial photos to weigh the qualities of rural parts of Multnomah County against long lists of suitability factors for Urban Reserves and Rural Reserves. The CAC also received and weighed extensive public comments as we developed recommendations for Reserves in Multnomah County.

Forest Park Neighborhood Association urges you to oppose HB 4075.

We strongly urge legislators not to support any bill that would modify urban and rural reserves law, administrative rules, or reserves designations unless the legislation is supported by all three counties (Multnomah, Washington, and Clackamas) and Metro.

Reserves has been a regional process from the beginning. Regional engagement, process, and balancing helps ensure thoughtful outcomes for these complicated questions, as well as a process with strong public engagement.

Thank you for your consideration.

Sincerely,



Carol Chesarek
President, Forest Park Neighborhood Association