



Save Helvetia  
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**April 8, 2019**

**TO: Joint Transportation Committee  
[jct.exhibits@oregonlegislature.gov](mailto:jct.exhibits@oregonlegislature.gov)**

**Subject: Opposition to SB 413 - Behemoth Bypass  
Hearing on April 10, 2019**

**We are writing on behalf of the Board of Directors of Save Helvetia regarding the reasons why we ask you to vote NO SB 413.**

**Our interest - to protect farmland in Rural Reserves**

Over the past ten years, members of the Board of Directors and Steering Committee of Save Helvetia have participated in multiple committees that pertain to transportation and roads in Washington County. The purpose for our interest and involvement in transportation and roads issues is the impact these decisions have on the agricultural industry of the greater Helvetia area. Decisions to expand existing rural roads (such as West Union Road and Cornelius Pass Road) will have a negative impact on Helvetia's farmland in Rural Reserves - diminishing Helvetia's block of agricultural farmland and putting pressure on what is left. Decisions to build new commuter roads through Rural Reserve land will decimate the farm industry in the greater Helvetia area that contributes to Oregon's second largest industry and contributes to Washington County's traded sector revenues.

**Save Helvetia members stay vigilant on transportation and roads issues**

Save Helvetia members have significant experience in transportation and road issues, primarily because the greater Helvetia area is often the target of misguided attempts to urbanize it by the City of Hillsboro and Washington County. Some of the committees that deal with transportation and roads issues that Save Helvetia members have participated in and provided comments and input include:

Helvetia/Brookwood Interchange Advisory Committee  
Washington County Rural Roads Committee (RRMAC)  
Washington County Transportation Update and Study Committees  
Washington County Agri-tourism Workgroup  
Washington County Rural Tourism Study Workgroup  
Transportation Futures Study

## **A “Limited-Access Public Highway” - a costly boondoggle**

No matter what it is called - “Westside Bypass”, “Northwest Passage”, “Westside Corridor” or “Limited-Access Public Highway”, the desire by some cities and developers to construct a behemoth bypass never seems to abate. Once again, we are faced with an effort to launch a new bypass project that is wasteful and pointless, but gives the appearance of having value for development in Washington County and throughout the state.

The true costs of building a new “limited-access public highway” through rural Washington County, for example, are far greater than just the road itself that would run through valuable rural reserve farmland. At a cost of \$12 to \$20 billion just in Washington County, this behemoth bypass will threaten every other state roadway project, including repair of existing roads and bridges.

## **We haven’t finished what we started**

Before we start a new mega freeway, we should finish what we started. The first attempt to build a westside bypass through Washington County has not yet been fully completed. Highway 217, the connector freeway between I-5 to the south and Highway 26 to the north, is not yet built out to its original design of six thru-lanes. The failure to complete the full design of Highway 217 is resulting in traffic jams at all hours of the day, **severely impacting north/south bound traffic. Completion of Highway 217 to its original design will effectively eliminate the need for another westside bypass.**

Highway 26 from Highway 217 to Cornelius Pass Road has only recently been built out to six thru-lanes to handle the traffic volumes being experienced in the northern part of Washington County. Highway 26 needs to be built out to six thru-lanes from Cornelius Pass Road to the Helvetia/Brookwood Interchange to more effectively handle the commuter traffic at peak times. The greater Helvetia area is experiencing significant cut-through commuter traffic as commuters strive to avoid the slow-downs on Highway 26 resulting from too-few lanes to and from Portland. **A north/south “limited-access public highway” will not solve the long east/west commute travel times for employees of Washington County’s tech firms.**

**SEE ATTACHMENT 1 - “A Better Way to Enhance Washington County Transportation”**

## **It doesn’t fix the problem**

Washington County completed a \$1.5 million Transportation Futures Study, awarded by the legislature several years ago. While it was supposed to creatively study the county’s transportation needs over the next 50 years in an out-of-the-box manner, the committee was composed of a majority of interests who favored a westside bypass and therefore the bypass remained on the list of options.

However, parts of the Study seem to question the use of a bypass to fix the problem. It looked at the quantity of trips that would be made on a proposed bypass route. **The bulk of future trip travel would remain heaviest on the I-5/ Highway 217/US-26 arc, even with a westside bypass.** A phone Q&A targeted at the millennial generation to obtain their viewpoint on transportation issues in Washington County was completed as part of the Transportation Futures Study. Their view is that they are very interested in increasing access to public transportation - not more roads and freeways. This aligns with the millennials’ lack of interest in owning cars and wanting to live, work and play in downtown centers, not so much in suburban areas. Could we be facing fewer autos than expected in our near future, which would reduce the projected traffic volumes? This behemoth bypass proposal is cost intensive and will not provide the big remedy desired. It would be essentially for “private use” of the wealthy. This lacks the very high justification that should be required of so much public expense.

## **SEE ATTACHMENT 2 - "Limitations of a bypass using Cornelius Pass Road"**

### **Impact on farm land**

SB 413 gives multiple urban jurisdictions the potential for speculative deals regarding road routes, without any sensitivity to the multiple impacts this could have on agriculture. A road through farm land could easily:

- Disturb irrigation and drain tiling
- Disturb drainage and drainage ditches
- Disturb contours
- Put concrete sidewalks into proximity to tractors,
- Create obstacles to the right-to-farm, such as
  - Breaking up fields
  - Creating traffic hazards for farm machinery
  - Bringing noxious weeds into farm areas
- Increase the potential for flooding
- Increase litter into farm areas
- Disturb crop ripening from sidewalk lighting

### **Our best farmland is up for grabs**

SB 413 authorizes a special taxing and revenue district to override the designation of rural reserves, thereby allowing this bill to pave over farm land in Washington and Clackamas Counties and every other county in the state. Rural reserves have been agreed to by the three counties, Metro, and the state in Washington, Multnomah and Clackamas Counties. Rural reserves protect the best farm and forest lands and natural resources from development for 40-50 years. SB 413's proposed toll district would be authorized to pave farm, forest, and natural resource areas across the most resource-rich areas in the state, including the Tualatin Valley and French Prairie.

The purpose of SB 1011 was to promote certainty for a long term. SB 413 undoes that certainty. SB 1011 was to put all land needs on the table. This behemoth bypass was not put on the table. Not soon after the Grand Bargain finalized Washington County's reserves plan, the City of Hillsboro began its push for the need for a bypass and the need for the taking of large swaths of additional farmland. This bill goes further and authorizes the taking of farm land in rural reserves by "the district" without consideration for "local intergovernmental agreement" or land use laws limiting development of rural reserve lands **anywhere in the state. This bill promotes legislative land use rather than local land use planning.** Legislative land use lacks adequate citizen participation per Goal One.

## **SEE ATTACHMENT 3 - "SB 413 violates Oregon's existing land use planning"**

Please vote NO on SB 413.

Respectfully,

Allen Amabisca, Officer  
Board of Directors, Save Helvetia

Robert Bailey, Officer  
Board of Directors, Save Helvetia

cc:

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## **ATTACHMENT 1**

### **A Better Way to Enhance Washington County Transportation**

Do we actually need a new north-south freeway/limited access arterial running through Washington County's rural reserve farmlands? Why not first fix the roads we have to meet the actual needs of our citizens. Easing the east/west commuter travel will also benefit the truck traffic via the same efforts.

The vast majority of commuters in Washington County are seeking east/west routings to reach their ultimate destinations. Commuters either work in Portland and live in Washington County or they work in Washington County and live in Portland. A new north/south arterial across the west side of Hillsboro in Washington County does not address the majority of commuters' needs as their destinations are east of such a road. Improving the existing roads of Washington County that presently impede commuters would be much more cost-effective.

1. TV Highway/Highway 8, the major east/west arterial through central Washington County is a commuter nightmare with just four lanes (two each way) and traffic-jammed intersections. The lack of overpasses at major arterial intersections and only two lanes of traffic each way on this major arterial has effectively blocked efficient east/west traffic flows through central Washington County from Forest Grove to Portland during rush hours. This severe limitation is forcing commuter traffic to seek out alternative routes, north and south of the TV Highway, to work their way east/west.
2. Highway 10, SW Beaverton Hillsdale/Capital Highway, which routes east/west toward south Portland, does not connect with I-5. It also is a commuter nightmare with just four lanes (two each way) and traffic-jammed intersections. The lack of overpasses at major arterial intersections and only two lanes of traffic each way on this major arterial has effectively blocked efficient east/west traffic flows through central Washington County to Portland during rush hours. Such a connection south of the Ross Island Bridge would open up a valuable commuter/truck traffic alternative routing into the Portland Metro area.
3. Highway 47 running north/south on the western side of Washington County linking Forest Grove/Cornelius with Highway 26, is a two-lane country road that is limiting effective access to Highway 26 for residents of the major population centers of central western Washington County who are trying to drive around the inadequate east/west TV Highway/Highway 8 arterial.

Allen Amabisca, Officer  
Save Helvetia Board of Directors  
8 April 2019

## ATTACHMENT 2

### Limitations of a bypass using Cornelius Pass Road

The greater Helvetia area includes Cornelius Pass Road. Residents of Helvetia are well-versed in the every-day challenges of driving on Cornelius Pass Road and the safety issues of this rural road being used as a truck route along with commuters trying to avoid the traffic on Highway 26.

1. Cornelius Pass Road, consistently identified as the northern component of the westside bypass, is a simple two-lane country road with major portions of it speed-limited to 45 mph, with significant portions speed-limited to 35 mph or less. Due to the steepness of its grade and sharp corners, traffic is frequently traveling at less than 25 mph due to large trucks struggling with the narrow, steep, and winding road. Increased commuter traffic on this road is already creating safety concerns with east/west bound commuters trying to cross this road in far northern Washington County, i.e. at the Old Cornelius Pass/Germantown Road intersection with Cornelius Pass Road.
2. Converting Cornelius Pass or any other country road (such as Germantown Road) into a four to six lane expressway or freeway to connect a westside bypass freeway to Highway 30, would entail a massive and expensive highway construction project to both level out the steep grades and straighten out the turns that run through hard lava rock and across earthquake fault lines.
3. Highway 30 is itself a problematic road for connection to a westside bypass. The road east to Portland, currently only four lanes wide, is frequently speed-limited to 45 mph or less. As the road enters West Portland, there are multiple street lights that will challenge the increased traffic from a completed westside bypass. The St. John's Bridge is outdated and would be inadequate for increased traffic flows that aggressive rerouting of Washington County traffic would entail.

Highway 30 going west from the Cornelius Pass intersection faces serious complications of a very outdated bridge at Rainier/Longview, for traffic seeking to travel north to Washington. This bridge has repeatedly created massive traffic jams when northbound traffic of any volume has been rerouted away from the I-5 bridge over the Columbia River.

4. Both bridges over the Columbia (Rainier/Longview) and the Willamette/St. Johns, accessed from Highway 30, would require replacement as they are outdated and limited in their ability to carry significant increases of traffic that is even worse than the well-documented I-5 bridge over the Columbia River.

Allen Amabisca, Officer  
Board of Directors, Save Helvetia  
8 April 2019

## **ATTACHMENT 3**

### **SB 413 violates Oregon's existing land use planning**

#### **SB 413 Violates the "Grand Bargain" settlement agreement**

- SB 413 violates the good faith negotiations that resulted in the Grant Bargain. The "Grand Bargain" was an extraordinary 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 February, 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 413 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 413 is not good planning. It does not protect our local food supplies and Oregon's #2 industry.

#### **SB 413 Violates SB 1011 and its associated Administrative Factors**

- SB 413 proposes to override the designation of rural reserves in large swaths of farmland. 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.
  - (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.
- SB 413 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 413 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 413 dashes certainty and replaces it with a monopoly game of chance.

### **SB 413 Violates 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 413 might require counties to violate their citizen involvement ordinances.
- SB 413 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 413.***