

March 3rd, 2021

**PLEASE AMEND SENATE BILL 395 TO ENSURE VITAL TRANSPORTATION DOLLARS
ARE PROTECTED FROM GRANT MISMANAGEMENT, AND FARMLAND IS
PRESERVED FOR FUTURE GENERATIONS**

Chair Beyer and Chair McClain and members of the Joint Committee on Transportation,

Today, we write to share concerns about Senate Bill 395 as written. We would request that the committee work to draft and amend the measure so Oregon taxpayers can be assured that our limited transportation dollars are working in a manner consistent with legislative goals.

As part of a Connect Oregon package, Yamhill County was granted funds to buy land, design, and build a trail abutting farmland within the county. This was done without any notice to neighboring landowners and without any meaningful public process to identify whether there was local support for the grant or the trail. Regardless, Commissioners expended \$1.7 million dollars to purchase a miles-long linear parcel from Union Pacific Railroad using those Connect Oregon dollars. What ensued was years' worth of legal battles and LUBA processes that ultimately ended with a decision to halt the trail. In the county's overly-ambitious goal to obtain Connect Oregon dollars, local elected officials and their staff failed to present a "shovel ready" project to ODOT for consideration. Tax dollars that could have better benefited other projects were wasted.

Instead, ODOT was led to believe that Yamhelas-Westsider Trail project had been through a rigorous public process where the impacts on farmland and the environment had been considered (they hadn't). Even more shocking, in the midst of numerous land use appeals where neighboring landowners had won, ODOT authorized further grant expenditures to build a bridge without land use approval or any assurance that the county could meet its land use obligations. Meaning, ODOT authorized an entity to build a bridge to nowhere fully aware of the local opposition and insurmountable legal hurdles. While we would be glad to connect offline to share the details about the lack of public process, lip-service to transparency, and litigation dollars spent by LUBA and our county for a project that was never legally possible to begin with, we'll jump directly to our ask: **that no other community should ever again have to work so hard to have accountability in our state-funded transportation projects.**

We would respectfully ask that the following be considered for an amendment:

1. That local jurisdictions seeking Highway Trust Funds and/or Connect Oregon dollars for the purpose of multi-modal trails (ped, bike, electric-assist, equestrian, and motorized vehicle) be

required to document to ODOT and/or the Legislature that they've engaged in a robust public process to include community testimony; disclose opposition; complete agricultural and land use impact studies; abide by NEPA processes; and any other studies as required by state or federal law, prior to grant approval and grant funding. A robust process should also include that litigation and/or land use appeals are complete, and that they have exhausted any appeals processes before grant dollars can be issued.

2. Require local jurisdictions to give actual notice to landowners adjacent to proposed trail projects. In our case, the county determined that notice of public meeting through regular posting of a county meeting was sufficient and failed to notify impacted neighbors. Early notification and subsequent robust public testimony opportunities could have steered the commission on a more realistic path with regard to the legalities of the project. It would also have prevented the waste of taxpayer transportation dollars and public litigation dollars.

3. Add a landowner (or a representative of landowners) who is actively engaged in the natural resources economy and can speak to concerns about siting trails in and around commercial agricultural operations to the advisory board proposed in Senate Bill 395.

Our last wish is more aspirational: that the Legislature reaffirm that protecting land for agricultural use continues to be a priority for policy makers. As more farmland is encroached for necessary things like housing, transportation, and recreation, we need to continue to protect farmland for economic security, food security, and the future needs of our state. Protecting this vital resource should be considered a priority and given a higher level of scrutiny during the grant-making process when siting future recreational trails.

We appreciate your time in considering how to balance the needs of our working farms with the overall needs of the future of transportation in Oregon.

Sincerely,

Linda M. Schrepel, Yamhill, OR

Debra A. Schrepel, McMinnville, OR

Mark L. Schrepel, President, Fruithill, Inc., McMinnville, OR

Lee W. Schrepel, Vice President, Fruithill, Inc., Yamhill, OR

Becky L. Gagnier, Yamhill, OR

Paulette Alexander, land owner/horse stables, Carlton, OR

Chris Mattson, Manager of North Valley Seed Co & livestock operator, Yamhill, OR

Carrie O'Brian, equestrian facility, Yamhill, OR
Melissa Reed, educator, Yamhill, OR
Celine McCarthy, Ground Zero Farms, Yamhill, OR
Lucien Gunderman, Crown Hill Farm Enterprises, McMinnville
Paul Kuehne, Creekside Farms, LaFayette, OR
Tom Hammer, farmer, Wheatland, OR
Scott Rawson, property owner, Hillsboro, OR
Dale Thornton, generational farmer & timber, Carlton, OR
Jennilynn Thornton, Carlton, OR
Nancy Thornton, Carlton, OR
Cory VanDyke, representative of Carlton Seed Co., Carlton, OR
Scott Bernards, farmer, Carlton, OR
Patricia Manson, land owner/Fruit & Fescue Farm, Yamhill, OR
Jack Bernards, Buckwheat Farms, Carlton, OR
Christy McCarthy, co-owner McCarthy Grass Seed Research & farmer, Forest Grove
Robert Crawford, Simpson Lumber, reforester & timber property owner, Yamhill OR
Cal Peterson, Dogwood Meadows Livestock Operators, Yamhill, OR
Christine Peterson, Dogwood Meadows Livestock Operators, Yamhill, OR
John & Lynne Wiser, property owners alongside proposed YWT, Carlton, OR
Gerry Steele, Wapato Repair, Gaston, OR