



Save Helvetia
13260 N.W. Bishop Road
Hillsboro, Oregon 97124
www.SaveHelvetia.org

29 January 2023

Subject: Joint Committee of Semiconductors: Industrial Lands Recommendations
For a Meeting/Hearing on January 30, 2023

Honorable Members,

We have followed the development of the CHIPS legislation, the plans for the Intel facility in Ohio, and the State of Oregon response to the CHIPS grant opportunities. We support the on-shoring of chips production and the economic benefits that will accrue to the localities where new facilities develop.

We are dismayed that the task force and local governments now use the CHIPS opportunity as a predicate to breach the Grand Bargain, nullify the good faith intent of the urban and rural reserves planning itself, and target the taking of farmlands outside of any assessment of agricultural viability of the land. The new factor appears to be proximity to fiber optic cables, willing sellers, and jurisdictions with hubris. Cities, Washington County, and Metro all pledged fealty to the Grand Bargain, under oath to the legislature. This was the basis for the then Governor to support and sign the bill into law. This was to be a one time occurrence of land use at the legislature. This looks like super-siting and what a history that has.

As members of Save Helvetia, a number of us were observers and participants to the meeting in 2014 that set the stage for the HB 4078, the Grand Bargain. Negotiations were undertaken and trade offs were made. 1000 Friends and Save Helvetia were primary litigants that paid dearly to press the appeal of Washington County's Urban and Rural Reserves plan. We gave our perspective to Washington County before they finalized their plan. They could have corrected their errors. They did not. We appealed.

Our assertions were upheld by the State Court of Appeals. When the Court of Appeals remanded back to Washington County, the legislature happened to be in the middle of their short session. Washington County was afraid of repeating the costly public involvement process and local cities were afraid of stalling development plans. State Rep. Brian Clem saw an opportunity to oversee an unprecedented deal which became the 2014 Grand Bargain among jurisdictions involved in north Washington County.

This removal of the local process to the state legislature, in an exclusive, rushed discussion that lasted only a few days among only a few dozen officials, opened a Pandora's Box. Since then, land use bills have been filed in each session of the state legislature. And a new process, one that usurps citizen involvement and local control, has been forced upon the citizens of Oregon.

At the negotiation meeting, we allowed the county and the City of Hillsboro to begin development of the 1000+ acre area of "North Hillsboro". We also promised no contest related to the South Hillsboro development plans. In turn, we were promised the protection of certain farm lands in rural reserves for a specified period of time. It is unfortunate that the CHIPS planning now becomes the predicate for this proposed BREACH of contract. At no point did the task force and government planners reach out to us as an organization of standing to appraise us of this planned breach.

Notice of your meeting/hearing was posted on January 27 at 4:19 PM, approximately the same time that the Memphis Police released the dramatic videos of police brutality there. Your notice gives a short weekend, during NFL playoffs, to prepare for an informational meeting that lacks maps of affected areas and is without bill language. The Task Force letter identifies "sites" in "North Hillsboro" and North Plains. We suspect that what you really refer to are farm lands not in "North Hillsboro" but in unincorporated Washington County, outside the Urban Growth Boundary, and outside the city limits of Hillsboro. This leaves lots of confusion as to what lands are at issue. Usually in land use planning observing positive citizen participation, notice is given with enough specificity and timeframe to allow public involvement. This is short notice, lacks specificity, displays no transparency, and lacks good faith.

We have reviewed recent newsletters from Senator Sollman and the City of Hillsboro. Neither makes mention of this potential re-zoning of adjacent farmlands. We have heard rumors that, over the past year, both were having non-public meetings with the developer and the North Hillsboro Alliance (an organization of parcel owners in the NW Jackson School Road area north of the city limits of Hillsboro).

Prior to the CHIPS Act, we have countered then Representative Sollman's various attempts to breach the Grand Bargain: (S.B. 186 in 2017; H.B. 4075 in 2018, and H.B. 2832 in 2021). At times, the City of Hillsboro has been involved in these efforts, and a developer at work aggregating parcels should the opportunity present itself. Don't make CHIPS this opportunity.

The City of Hillsboro has already benefitted from their gains from the Grand Bargain. South Hillsboro and the North Hillsboro industrial area cannot be “taken back”. It is untoward to now attempt to take back what we obtained out of the bargain, the protection of farmlands designated as rural reserves under the negotiations. Save Helvetia expended over \$75,000 and 10,000 volunteer hours to protect the farmland under the Grand Bargain. We were willing to negotiate a land settlement before the Appeals Court ruled but that was rejected by Washington County’s then Chair Duyck. We have acted in good faith throughout. We were compelled to protect our community and its farmlands from our county government when they strayed from the law during the Urban and Rural Reserves planning process. Please don’t victimize us here.

Spread the wealth. There is no innate justification for clustering all tech in Hillsboro. Medford, Eugene, Albany, Corvallis, Klamath Falls, Bend, among others are all apt settings that could bring land and educated workforce to bear.

If you intend to breach the agreement, what have you to offer? What apology have you to make for this taking? You will be writing your chapter in Oregon’s History of Land Use and your actions might be subject to display in the Oregon History Museum.

Respectfully,

Robert Bailey, Secretary
Save Helvetia

