

During the Urban and Rural Reserves process from 2009 through 2012, Save Helvetia and hundreds of citizens spent thousands of hours (and thousands of dollars in legal expenses) giving testimony to Metro and Washington County Board of Commissioners opposing the methodology used by Washington County to designate urban reserves. This methodology was different than the other two counties and resulted in an excessive number of acres of high value foundation farmland being designated as urban reserves. Save Helvetia and eight other groups and individuals appealed Metro and reserves decision as being inconsistent with reserves law.

We urge you to vote NO to HB 4078 for the following reasons:

1. The ability of citizens to appeal government decisions that they believe are illegal is a basic right of our system of government and no less so in the area of land use laws. HB 4078 is contrary to the right of citizens to have their day in court.
2. As our elected representatives, you should uphold Goal 1 and Goal 2 (Citizen Involvement) to the highest extent. HB 4078 is contrary to Goal 1 and Goal 2. Instead, require that Goals 1 and 2 be solidified in OARs.
3. Interfering with a court decision while it is still pending before the court is a dangerous precedent - for all legal issues, not just land use.
4. SB 1011 allows for this appeal right. Metro subsequently decided to tie the UGB expansion to reserves. If legislation is passed doing an end run around this process, what motivation does that give citizens or organizations to participate in the future?

The sponsors of HB 4078 appear to be dissatisfied with the legal process - they should instead be unhappy with the leadership of Washington County who created this problem in the first place by not listening to the citizens and choosing to interpret SB 1011 for their own interests. Washington County leadership manipulated and misinterpreted the Urban and Rural Reserves Process. By their actions, they stimulated a number of appeals, became responsible for the loss of time, wasting millions of dollars of taxpayer dollars associated with the appeals, and created the disillusionment of many citizens and communities. Passage of HB 4078 would reward them for their failed process. A short legislature with expedited hearings and little space for citizen input is no place to dismantle the foundational tenets of Oregon's land use system and process.

Please vote NO to HB 4078.

Respectfully,

Robert Bailey for

Save Helvetia