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April 27, 2010

To: Washington County Chair Tom Brian
Commissioner Andy Duyk
Commissioner Dick Schouten
Commissioner Roy Rogers
Commissioner Disari Strader

From: Linda Peters
Former Chair, Washington County Board of Commissioners

Re: Ordinance 733 and proposed changes

I am unable to appear at the Board's first hearing on Ordinance 733, so I am emailing written testimony at this time. Perhaps it will be possible for someone to read this message into the hearing record.

First, I wish to request formally that the record for Ordinance 733 incorporate and include all testimony submitted by members or representatives of Save Helvetia and the Ag/Natural Resources Coalition to Washington County (whether directed to Reserves Coordinating Committee, DLUT, and/or Commissioners individually or collectively) relative to Rural and Urban Reserve designations proposed for Washington County land, during the process leading up to adoption of Intergovernmental Agreements from which Ordinance 733 proceeds. My understanding is that such records **would** go forward to LCDC, but I want to be sure that all parties who have participated in the Reserves process so far do have legal standing to appeal without needing to re-submit their prior testimony. Please advise if I have misunderstood what constitutes "the record" for Ordinance 733, or if the County is hesitant to comply with my request.

Second, I am re-stating my personal opposition to Urban Reserve and "undesigned" designations for Foundation Farmland and Significant Natural Areas, including the areas north of Evergreen to the Sunset Highway, 8A and the area west of it currently left undesignated; UR areas north of Council Creek, and the blocks of undesignated land around North Plains and Banks. I concur with Brian Wegener's recent testimony to the Planning Commission regarding problems with Cooper Mountain Urban designations.

Further, I am appalled at what is brought forward in the Staff Report dated April 22, 2010 as Planning Commission recommendations and as staff-proposed "minor" mapping changes. Amending Ordinance 733 to add new and/or previously rejected UR proposals would clearly trigger the re-opening of Metro's Intergovernmental Agreements process with implications for

further deliberative processes by Core 4, MPAC, and all three counties. The staff's proposed adjustments would effectively exempt an inordinate and critical number of rural roads from Rural Reserve protections clearly intended by SB1011 and its OAR's. Taken together with Washington County's recent attempt to persuade LCDC to shortcut normal procedures for modification of administrative rules and ease restrictions on land use changes in Rural Reserve areas –perhaps to fast track “road improvements” to carry urban levels of commuter and freight traffic through Foundation Farmland—these changes cannot be seen as minor adjustments or corrections to mapping errors.

It appears from the map that staff would add a narrow strip of UR north of Sunset Highway between Helvetia Road and Jackson School Road, alongside the section which is still unaccountably and questionably mapped as “undesigned” despite its status as Foundation Farmland, its lack of a natural barrier or buffer, and sound legal testimony opposing such designation. If that strip were UR, adjoining the spurious UR designation for the Standing Property (8A), and with UR on the south side of the Sunset Highway, we'd have to abandon all hope of maintaining productive agriculture and a highly desirable view corridor through that section of the main route from Portland to the coast.

Our scenic and productive agricultural areas are among Washington County's greatest resources. I urge the Washington County Board make use of land use law to protect, not to despoil and squander, these treasures.