

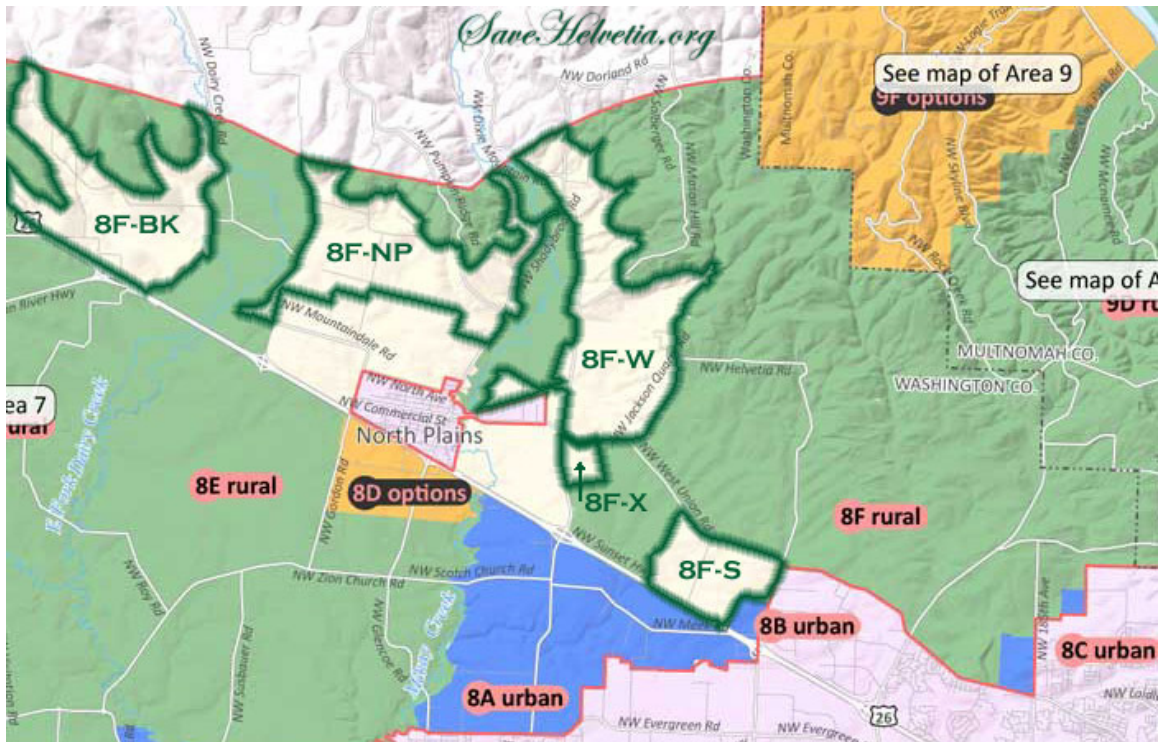
Brian Beinlich  
10440 NW Jackson Quarry Road  
Helvetia, OR 97124

January 19, 2010

My testimony today is about area 8B, which is proposed as “urban” reserves by the Core 4. This area is defined as 60 acres in the Metro online survey, but it is defined as 91 acres in the Core 4 chart dated January 7, 2010. (Mr. Standring’s two lots total 69 acres; the remaining 22 acres are not defined.) The reason given by the Core 4 for designating this area as “urban” is that it would “facilitate the proposed and partially funded improvements to the Helvetia/Highway 26 interchange.”<sup>1</sup>

### Urban designation not required for interchange

This reason for urban reserves for this area is unsupportable. According to Dick Benner, Senior Attorney in the Office of the Metro Attorney, it is not necessary to designate an area as urban reserve to support an interchange. (I believe he answered a question to this effect at a Core 4 meeting last fall.) As a practical matter, there are plenty of freeway interchanges in rural areas – one need only look at Jackson School Road or all the US26 interchanges between Banks and the coast for examples.

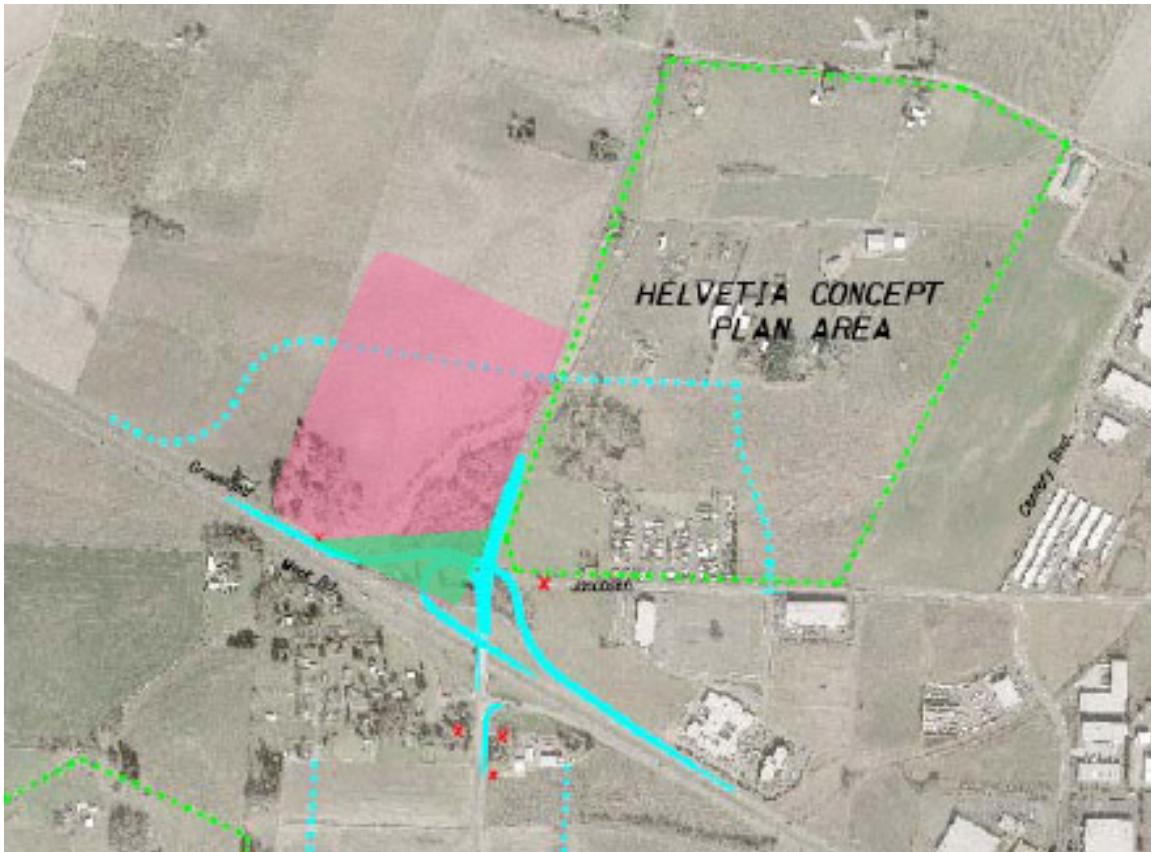


## AREA 8 ADDITIONAL DESIGNATIONS

<sup>1</sup> This language is from the description of Area 8B in the Metro online survey.

Regardless of whether area 8B is designated urban or rural reserve, the amount of land set aside is far larger than would likely be necessary to support the proposed interchange improvement, especially if the improvements are designed primarily to serve the urban uses south of US-26, and the industrial area to the northeast, which is the stated reason for the improvements.

I spoke with Rian Windsheimer and Jeff Flowers of ODOT at the open house on December 9<sup>th</sup>. They indicated that the off-ramp that would expand capacity for westbound traffic heading south would likely only need to pass on the other side of the wetlands, and would probably occupy about the same amount of land on the northwest corner. This corresponds to the green area on the map below. This is a far smaller area than the 60-75 acres currently designated as UR-2B. The boundaries of 8B should be re-drawn to reflect the amount of land actually needed.



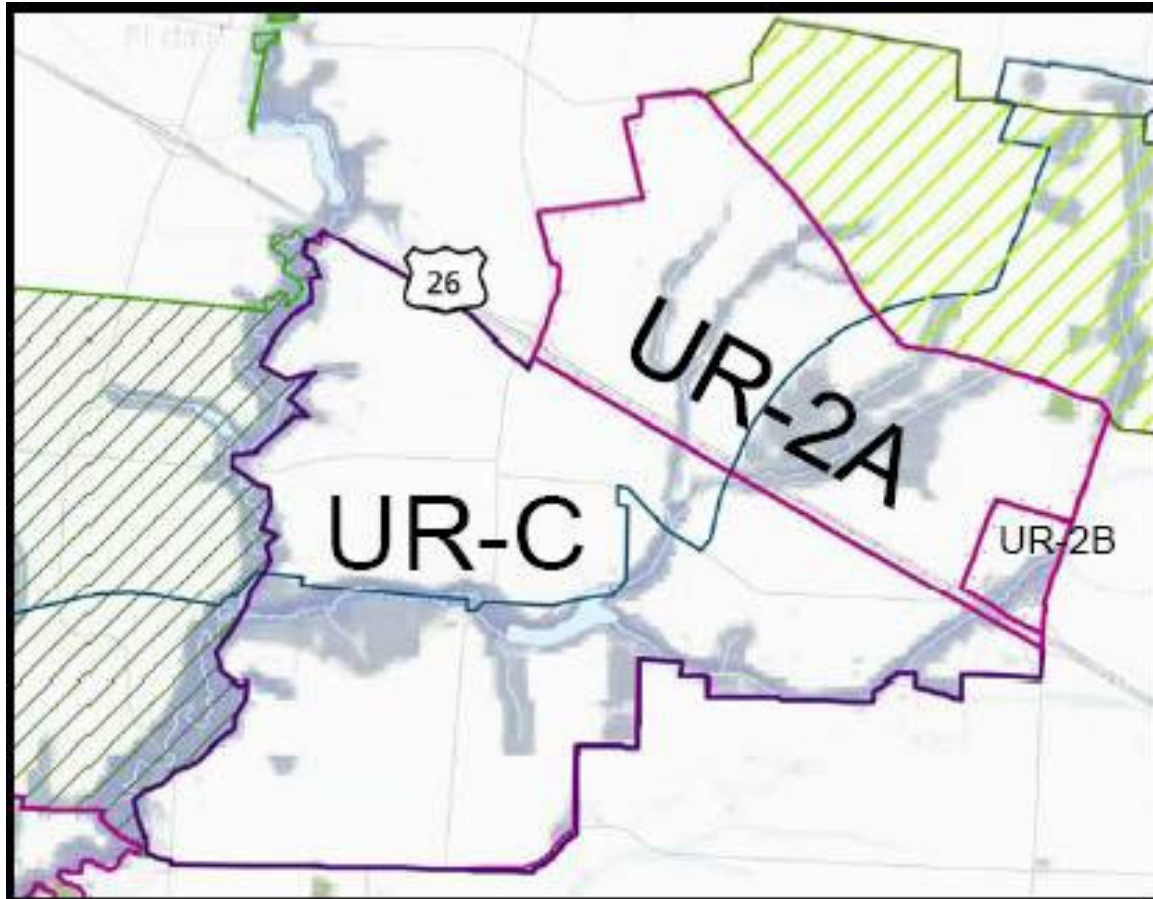
The red shaded area approximately corresponds to proposed area 8B. The land likely needed for the interchange (green shading) is far less. Map adapted from ODOT JTA (Jobs in Transportation Act) project description.

## Urbanization would be difficult – fraught with problems

There are complicating factors that should be taken into account when contemplating an urban designation for area 8B:

### Waible Creek and its floodplain

The area (shown as “UR-2B” below) is a major drainage for Waible Creek.



Waible Creek near the interchange

Waible Gulch begins about 1/4 mile NE of the Helvetia Church. It is the drainage of the central Helvetia watershed (see the hydrologic profile below). Notice the artesian pressure surface below and through the extent. This pressure surface creates seeps along the way that farmers work to tile off.

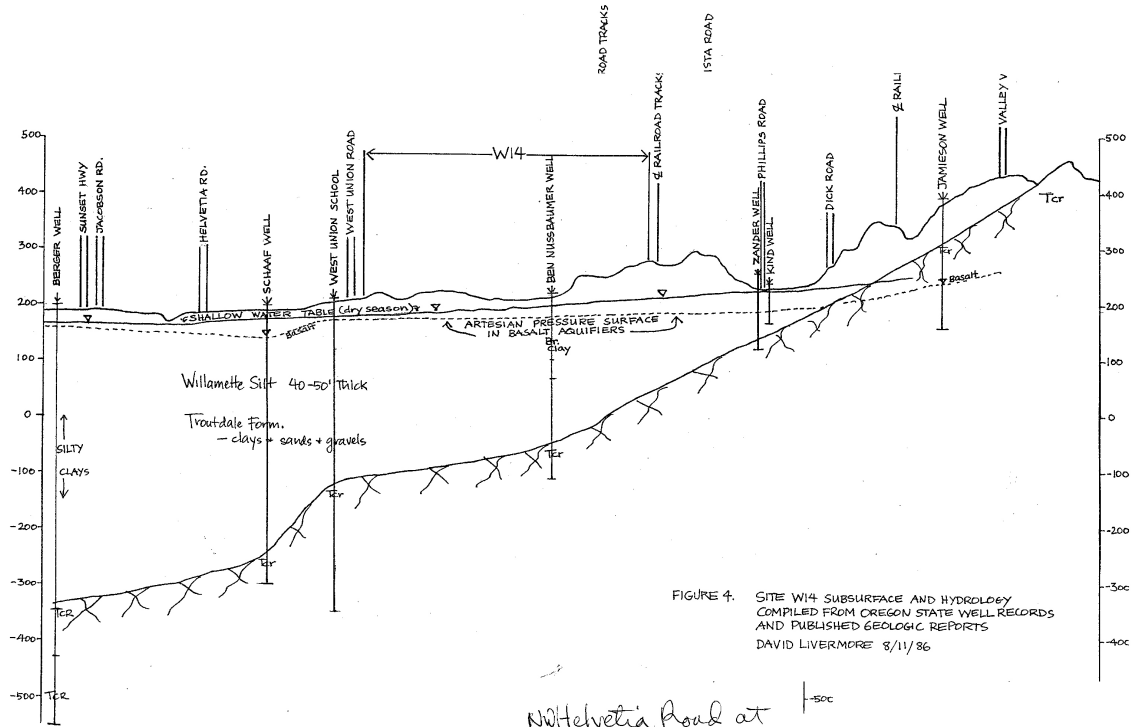


FIGURE 4. SITE W14 SUBSURFACE AND HYDROLOGY  
COMPILED FROM OREGON STATE WELL RECORDS  
AND PUBLISHED GEOLOGIC REPORTS  
DAVID LIVERMORE 3/11/86

NW Helvetia Road at  
NW West Union



Further east, Storey Creek drains west Helvetia in another watershed. Field tiling contributes to the drainage along the way. (See tiling map of the interchange area below.) Field tiling is under the parcels in area 8B and drains the central part of that area's arteries, headed east to the ditch and creek.





These areas flood periodically when the ground becomes saturated and rain and drainage from the upper catch basin continue to flow. The lower end of the Waible drainage is the southernmost Standing parcel and there the Waible goes to an undersized culvert under the Sunset.



Photos showing flooding to the west of Helvetia Road, just north of US-26.

## **Soil quality**

Area 8B and 8F-S are blessed with premier soils, ever-available water resources, and a history of high productivity. Currently we have 8 feet of fine top soils that hold down the lower drainage of the two northern parcels. The water below is a sub-surface irrigation resource. The water, in combination with its premier soils, creates the most productive farm parcels in the region. These parcels are contiguous and tiling is coordinated. Development would destroy this water resource. It has been irrigating crops for years, from below.

Upon excavation, that soil weight will be lifted. The elevated “ridge” would disappear as any visual “edge”, and you would also uncork the subsurface water resources. This would be an additional loss to this lower drainage area’s recharge capacity. Rain water and now sub surface water would add quantity to the lower Waible and overflow its capacity to drain water from the higher elevations. Flooding would be higher and even more likely to cross the road.

Even now, with increased buildings, roads and parking to the east of Helvetia Road, you have even higher quantities of water with less and less recharge capacity. The increased flow would flood out the riparian/cultural lower parcel, damage the white oak grove, and create downstream pollution and erosion.

Once excavated and uncorked, your change will be irreversible and irreplaceable. You can place industry in areas that do not disconnect watersheds and that do not destroy water resources.

## **Cultural artifacts and burials**

Numerous artifacts have been found in the grounds of the Oregon white oak woodlands. The area contains Native American burial sites. Today, it is regarded as a cultural site by the surviving relatives of the Atfalati people, the Confederated Tribes of the Grand Ronde. Disruption or alteration of these sites would require consultation with the Tribes.

## **Urbanization on the fringe is expensive**

Urbanizing these areas would increase dependence on the automobile for transit. It would move population areas away from the city core, lowering the overall density and making mass transit less feasible (and more expensive) for the rest of the city.

Metro studies indicate that urbanizing new areas is 2-3 times more expensive than redeveloping existing urban areas.

If the area is designated urban, the market will demand a higher price for the interchange land, thus raising the cost to taxpayers. It’s best to designate it rural and save money!

## Areas 8B and 8F-S qualify as rural reserves

In addition to the difficulties associated with urbanization, this area easily meets the factors for designation as rural reserves, and therefore should be designated as such. In addition, a large part of the adjacent area (area 8F on the map on page 1) is already recommended for rural reserves in the Bragdon/Hosticka proposal, and the remainder of that area (8F-S) is recommended for Rural Reserves in the Liberty/Park proposal and in the Ag/Natural Resources Coalition (ANRC) proposal.

We support the Liberty/Park and ANRC proposals to designate 8F and 8F-S as rural reserves. If 8F and 8F-S are designated rural, it would make little sense to designate a small parcel such as 8B as urban.

Area 8B meets the Rural Reserve Factors under OAR 660-027-0060 under the following factors:

### **Agricultural Factors - 8B Urban**

(2)(a) Area 8B is situated in an area that is otherwise potentially subject to urbanization since it is located directly across a rural two-land road from an existing UGB.

(2)(b) It is capable of sustaining long-term agricultural operations for agricultural land, having been farmed successfully, and to the present, for well over a century (150 years seems to be the consensus figure).

(2)(c) Area 8B continues to be in grass seed production, enjoying 24.2% Class I soils and 53.7% Class 2 soils (total 78.0% Class 1 and 2 soils) as classified by the Web Soil Survey of the Natural Resources Conservation Service branch of the USDA. It is entirely foundation farmland (as classified by the Oregon State Department of Agriculture, and as Metro admits) and it has suitable, available water (as evidenced by the historical, extensive system of sub-surface drainage that exists throughout all of Area 8).

(2)(d) Area 8B is part of a large block of agricultural land with a concentration of farm operations. Because it abuts other producing farm land, industrializing these two parcels would provide *no buffer to the adjacent farm land* and adversely affect the farming operations on adjacent farm land. Testimony has been submitted by Save Helvetia about the adverse affects of noxious weed seeds blown from areas within the adjoining UGB onto farm land in grass seed production. Hundreds of cars coming from urban areas into the proposed “urban” reserves will carry particles of dust which contain noxious grass seeds that contaminate the grass seed crops on adjacent farm land, reducing the purity and reducing the value of the crops to the adjacent farmers, causing economic harm.

### **Natural Landscape Features Factors - 8B Urban**

(3)(b) Area 8B contains floodplains from the Waible Creek drainage system. Testimony and photos have been submitted by Save Helvetia showing the extent of the flooding that



regularly occurs, not only on the property, but also across Helvetia Road, impeding traffic.

(3)(c) Area 8B contains important fish, plant and wildlife habitat. The area contains over 200 old-growth White Oak trees. Oak woodlands provide habitat for four at-risk species (one of which, the Acorn Woodpecker, is listed as a “Species of Concern” by the U.S. Fish and Wildlife Service).

Waible Creek, which crosses Area 8B, is a tributary of McKay Creek, an important riparian habitat. In addition, testimony has been submitted by Save Helvetia showing the use of the area by Helvetia’s Roosevelt elk herds for foraging and grazing during the fall and winter months, providing an essential element of their survival.

(3)(e) Area 8B provides a sense of place for the region. It’s Oregon white oak woodlands and water from Waible Creek provided an important site for the Atfalati people in the pre-settlement era. As mentioned above, Native American artifacts and burial sites are in the area.

The sense of place that Area 8B represents is reflected in its designation as part of the Washington County Oregon Visitors Association “Vineyard and Valley” Scenic Tour Route. ODOT provided funds as part of its “Discover Oregon Scenic Byways” program which paid for signage and publicity for this part of the county-wide tour. Urbanizing the west side of Helvetia Road would destroy the aesthetics of this “gateway” to the Scenic Tour.

(3)(h) Area 8B provides easy access to recreational opportunities in the rural area of Helvetia. Testimony has been provided by Save Helvetia of the thousands of runners and bicyclists who use Helvetia Road adjacent to Area 8B throughout the year, not only as individuals, but as members of recognized clubs from throughout the Portland Metropolitan area. Urbanizing Area 8B would create thousands of daily car trips along Helvetia Road, destroying the rural character of the area and jeopardizing the safety of the thousands of bicyclists and runners who use its rural roads for recreation.

#### **(4) Foundation Lands within three miles of a UGB - 8B Urban**

Area 8B, as noted elsewhere, is all Foundation Land. It is within a few hundred yards of a UGB. It qualifies for designation as rural reserves under section (2) without further explanation under OAR 660-027-0040(10).<sup>2</sup>

---

<sup>2</sup> See also OAR 660-027-0040(10), which states: Because the January 2007 Oregon Department of Agriculture report entitled "Identification and Assessment of the Long-Term Commercial viability of Metro Region Agricultural Lands" indicates that Foundation Agricultural Land is the most important land for the viability and vitality of the agricultural industry, if Metro designates such land as urban reserves, the findings and statement of reasons shall explain, by reference to the factors in OAR 660-027-0050 and 660-027-0060(2), why Metro chose the Foundation Agricultural Land for designation as urban reserves rather than other land considered under this division.

## **Broad consensus for rural designation**

A number of groups from throughout the region have recommended that the area north of Highway 26, including Area 8B, be designated as Rural Reserves in order to preserve its agricultural activities and its natural resources. These groups include: Portland Audubon Society, Urban Greenspaces Institute, Oregon Nursery Association, Washington County Farm Bureau, 1000 Friends of Oregon, Coalition for a Livable Future, Helvetia Community Association, CPO 8, Tualatin River Keepers, and the Agricultural and Natural Resource Coalition.

In addition, over 700 of your Washington County constituents, along with another 700 residents of the Metro region and beyond, have requested that all lands north of Highway 26 be designated as rural reserves.

For all of the above reasons, we request that the County designate areas 8B and 8B-S as RURAL reserves.

Thank you.

Brian Beinlich