

Chair Broadman, Members of the Senate Finance and Revenue Committee,

Thank you for the opportunity to testify - the first opportunity the public or the communities most affected have had to be heard on this generational issue. For the record, my name is Aaron Nichols and I am testifying here on behalf of Friends of Smart Growth. Our group, Friends of Smart Growth, organizes to defend farmland and to make sure the community is heard in decisions that affect them. We are made up primarily of residents of the Hillsboro and North Plains area and we are firmly opposed to this attempt to add over 1700 acres of our best farmland to Hillsboro's industrial land.

We are opposed to this bill for a number of reasons including:

- the exclusion of those who will be most affected by this land use change;
- the lack of actual or demonstrated need for this land;
- the real and significant loss of our very best farmland;
- the existential threat to farm businesses in Washington county;
- the poor process that leaves us unsure as to what we are testifying on at this point; and
- the overwhelming unpopularity of this proposal among residents where it will take place.

**Exclusion of the public:** This bill will bring about changes we cannot undo and will negatively affect many of the residents of this district. This land has been proposed many times, always without a finding of need, **and every time it has faced serious opposition.** In 2024, it appears that the same 373 acres delineated in Senator Sollman's press release were the "compromise" proposed to come into Hillsboro under SB 4. There was a single, poorly run public meeting. Those opposed to the inclusion packed not only the meeting room but also the overflow room. Many, who felt the decision was being made without to their input, protested outside Hillsboro's City Hall. The response from the public was a clear and overwhelming No.

This time, the same land is being proposed to come into Metro's UGB and an additional 1400 acres are to come into the urban reserve decades before they are scheduled to be reassessed. There has been no study, no demonstration of need, and no accounting for the costs to the taxpayers or the quality of life of those of us who will live with Salem's capricious land use decisions. Rather than reassessing and finding a path to real economic development, rather than engaging with the public and explaining why this is beneficial to us, the only solution offered is having one fewer public meeting in the district. That is, no meetings.

A compromise that brings back a needless expansion that has been rejected by the public isn't a compromise, it is a stab in the back. We live here, we look after the land and think of how our children will see it, live in it, and survive in it. This compromise is focused on short term profits and short term tax revenue and cuts out those who will pay the infrastructure, tax, and quality of life bills as they come due.

**There is no demonstrated need:** We have had meetings with Senator Sollman, Mayor Pace, and Metro Councilor Gonzalez. None have been able to point to any document that demonstrates a need for this land for advanced manufacturing or any other non-farming use.

Some cite speculative jobs gains if their wishes are fulfilled, others hope that this will be “transformational” for the region. But that is not need. That is not proof. If we accept that those in power can simply wish their way into a UGB expansion we open up our process to capricious decision making and outright corruption.

Hillsboro received, directly into their UGB, 1100 acres fourteen years ago, supposedly so they could bring in Project Azalea. Azalea turned out to be the dream of a land speculator, not an actual negotiation or promise. Since then they have built approximately 30 acres of “advanced manufacturing” on greenfields from that expansion. Adding up all of the businesses that could possibly be considered “advanced manufacturing” on Hillsboro's "List of Key Industries" shows that about 6500 jobs on about 165 acres of land.<sup>1</sup> That is development that took decades to attract and build up. Hillsboro currently has more than 500 undeveloped acres inside its UGB. Those acres are threatened however. Over the time Hillsboro has built about 30 acres of advanced manufacturing, it has built over 250 acres of data centers. What Hillsboro lacks is accountability, not land.

We have heard that the semiconductor task force picked out this exact land. This is true but that committee was studying semiconductor manufacturing, which is not coming to the area at this time, nor was it at the time of the task force. Further, after that finding, many cities, including Bend, Willsonville, Albany and Corvallis came to the SB 4 committee hearings to point to industrial land, inside UGBs, that had been missed by the semiconductor task force. A later study by the consulting group McKinsey and Company found around 10,000 acres of available industrial land in UGBs across Oregon. Metro's current analysis finds a surplus of industrial land in the Metro area.

**This will irrevocably destroy 1700 acres of our best farmland.** This land is, by any measure, some of the very best soil in the state and, quite likely, the world. There is no replacing it.

This soil currently feeds us - I have seen testimony saying it is in grass seed but much of it is planted, this year in wheat. But the crop that is there now is transient - this soil can grow most of the over 200 crops we grow in Oregon. And it will grow them very well. I once farmed in upstate New York on a farm of a similar size as my own here on Missoula flood soil similar to and about a mile from the soil under consideration. We worked just as much in New York as we do here, planted similar crops, and used similar fertilizers - but we got between half and two thirds of the yield there as we do here. That is possible only because of the soils.

I have also heard that these are unirrigated soils and therefore not valuable to farmers. This is untrue. Many crops, including the wheat that is there now, as well as the clover and grass seed that are often part of the rotations grow very well with no irrigation - but not with no soil. Further, many other crops can be grown with no irrigation though it is less common now - strawberries were once dry farmed and hazelnuts are often still grown on unirrigated land. Further, if we can bring massive pipes for industrial use and data centers, when food is again a critical resource, we can bring water to our best soils.

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<sup>1</sup> <https://www.hillsboro-oregon.gov/business/choose-hillsboro/key-industries-4288>

This soil is a gift of geological time - we can't destroy it for the fad of the moment as has been proposed six times in the last eight years. We need to take a longer view and we need to accept that climate change will irrevocably change how and where we grow food. We must protect our best soils and our best chance at a liveable future. I have heard that this is only 1 or 2 percent of our farmland - but only 1 or 2 percent of our farmland is as high quality as this land. Trying to grow enough food to feed our cities on 4th and 5th class farm soils is a fool's errand. We might as well try to eat data.

**This is an existential threat to the farm economy in Washington County.** This land is the only connection through farm roads between the 6000 odd acres in the northern farming region and the 19000 acres or so to the West. Those who farm in one region would be cut off, by acres of data centers, from the other region. It would limit the ability to rent additional fields and make a connected economy. Those in the northern region, who lost their last tractor dealership to expansion in North Plains, would have to travel through a city - 1700 acres of data centers - to reach any of the farm infrastructure.

*No study has been done. In eight years of trying to remove this land forever from farming, no farmers have had a seat at the table.* We seem to understand that other businesses need an agglomeration economy and access to infrastructure. And farmers aren't asking to bulldoze another industry nor do they request hundreds of millions in tax credits for their infrastructure. This scope of a change requires intention, thoughtfulness and data. It is impossible to imagine that, if this 1700 acres contained a single threatened species, we would do no studies, no analysis: bulldoze first ask questions later. Farmers, who feed us and make up the second biggest economic sector of the county, deserve at least a study, at least a voice.

**This process around this bill continues to cut out the public and even as we write this commentary, the actual language that will be discussed is unclear.** Reading through the 150 or so pieces of testimony I see various numbers for the acreage, various understandings of the compromise that has not been written as an amendment but only announced in a press release. Even the few supporters of this bill give varying numbers - from 1400 to 1700 acres added to the urban reserve, 1700 acres entirely in the UGB, only 373 acres in the UGB. It's the same story with the tax credits and enterprise zones. There is a five year enterprise zone in the current version. But we're told it's coming out or maybe it will be added to the prosperity bill. It is impossible to believe that the testimony being solicited by this committee is to the point of the real bill, it is impossible to believe that those who care enough to submit testimony and even drive to Salem, know exactly what they are testifying on. It is, honestly, impossible to believe that proper consideration will be given to the actual language of this bill.

The support for this bill, while very narrow and coming from those in power and those with land to sell, is also nebulous. We are told that Metro supports this bill but Metro has never mentioned it in a public meeting. The compromise worked out clearly cuts directly against Metro's

legislative principles 10<sup>2</sup> and 12<sup>3</sup>. If a decision was made by a majority of the Metro board to support his anyway, it was made in private and not in a public meeting again highlighting the too quick and haphazard approach to this end seeking, process ignoring bill.

**This bill is exceptionally unpopular in district 15 where it will take effect.** Senator Sollman has attempted this bill or a version of it five times now. The response in her district, each time, is increasingly loud and overwhelmingly negative. During the SB 4 hearing we reviewed the first 376 pieces of testimony that came in and found that 80% were opposed to the bill - almost all of them on the specific topic of bringing farmland in for semiconductor uses. This bill, which never used or needed any land outside the UGB, should have had overwhelming support but was instead overwhelmingly opposed by the public because Senator Sollman insisted on including land, and calling out this 1700 acres as a prime spot. It is and was unpopular then and it remains so now.

When Hillsboro, again with no proven need, asked the governor to bring in this same 373 acres under SB 4, there were again protests including picket lines around the overflowing hearing rooms. Again the testimony was about 80% opposed to bringing in the land. Land use groups joined forces with locals to prepare to sue the state and city. The governor, acknowledging the complete lack of need as well as the strong opposition made the correct and legal choice to not bring land into Hillsboro's UGB.

The Legislature's apparent response to overwhelming opposition is to bring back the bill with less process and less opportunity for the public to be heard. There have been no meetings, information sessions, or hearings called by any government and held in the district. While senators and representatives have been lobbied, given information on proposed amendments, and shown around the site, the same courtesy has not been extended to those who will live with the decision. Still, the response is clear. There are over nearly 200 pieces of testimony submitted at last count and fewer than 10 in support. When our group held an info session on the bill, in the district, the 200 person sanctuary was packed. When Senator Sollman brought up (but answered no questions on) the Jobs Act in the only town hall since it was announced, there was loud and widespread booing in the audience of around 400.

Out of respect for the voters and out of respect for individual communities having a real say in what happens in their backyards, this bill should not be advanced in committee.

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<sup>2</sup> Local Land Use Decisions: Management of the urban growth boundary is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. Urban growth management decisions have profound impacts not just on land at the boundary, but on communities within the boundary and on farms and other rural lands outside the boundary. For these reasons, the Legislature should establish the process and policy framework for local land use decisions and should affirm the authority of local governments, including Metro, to make specific decisions on local land use matters.

<sup>3</sup> Need: The UGB should not be expanded in the absence of demonstrated need.

<https://oregonmetro.legistar.com/View.ashx?M=F&ID=14814223&GUID=D68980FC-8AAE-449F-BF6D-1940476DF87E>

**In conclusion**, this land is unneeded and has no probable use other than data centers or logistics centers the only significant and recent use Hillsboro has made of its industrial land. No entity has done the studies that consider factors that must be considered on UGB expansions whether they be 5 acres, 373 acres, or 1700 acres. The damage done by this bill to our soils is catastrophic and irreversible; the damage to the agricultural industry in the county is potentially existential. Those in the district are well aware of the risks and oppose the short term profits for out of state corporations that provide few jobs and less benefit to our community and they have loudly opposed this bill. Changes of this magnitude are generational and require a process that centers and listens to many stakeholders. Short changing this process short changes democracy. There is no need, no urgency here. The costs are simply not worth the benefits.

Thank you for this opportunity to submit testimony.

Aaron Nichols  
For Friends of Smart Growth