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June 10, 2021

Rep. Barbara Smith Warner
Committee Members
House Committee on Rules
State Capitol
Salem, OR 97301

Re: SB 16

Thank you for the opportunity to provide testimony on SB 16. 1000 Friends of Oregon is a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities; protect family farms, forests and natural areas; and provide transportation and housing choice.

1000 Friends opposes SB 16. The bill would waive Oregon's land use laws to allow up to 100 houses – not related to farming - to be built on up to 200 acres of exclusive farm use lands in the “eastern Oregon border region,” which includes the Malheur County cities of Ontario, Vale, and Nyssa, the areas of Willow Creek and Brogan, and the farm and ranch lands in between. It would allow rezoning and partitioning of the EFU land for the house.

Rezoning farmland to allow more houses that are not related to farming, and that push public investment in infrastructure outside towns and cities, is fundamentally contrary to Oregon's land use program and sound land planning. I would like to address several arguments we have heard in support of this bill:

1. Housing

The city of Ontario just completed its Housing Needs Analysis (April 2021), which concluded that the city has more than sufficient buildable land in its UGB to accommodate both projected growth and the city's “aspirational” population growth. In recent years, Ontario has expanded its UGB to bring in about 600 acres from its urban reserve, leaving about 1500 acres still available in the Ontario Urban Reserve, in addition to vacant residential lands already in the Ontario UGB. What the city needs, in order to ready this land for development, is infrastructure – roads, pipes, and sidewalks.

Development of 100 houses scattered on farmland outside Ontario and the other cities in the region will draw funding to provide infrastructure and services to those houses and away from where cities like Ontario have already planned for housing and are seeking to attract development.

Oregonians do need more housing – and more diverse and affordable housing types – near where they work, shop, play, and worship: inside our towns and cities. We also need food and fiber, and Oregon has some of the best land in the world for growing crops, raising cattle, and growing trees. Our soils and water are finite resources, and their value, and our good fortune to have these nearby,

has come into keen focus with a pandemic and climate change. **We should not, and need not, play these off against one another, by treating working lands as vacant lands.**

Across the border from this area, in Idaho, recent proposals for large scale residential developments on farm land are receiving pushback, including from local officials, because of the potential detrimental impact on farming and irrigation.

2. Agricultural land protections

Agriculture is an economic engine of the region. Malheur County is always in the top five of the state's 36 counties in agricultural production, producing over \$350 million annually in agriculture products, and is among the top beef and dairy producing regions in the country. Agriculture is also Malheur County's largest jobs provider. The state has invested in a major rail re-load shipping facility in Nyssa, which will greatly increase the transportation options available for Malheur County's ranchers and farmers to get their products to market quickly. This is not a time to be taking farmland out of production.

Some proponents have argued that these homes will be built on land that is not in farming. However, that is not supported by the statute's language. There is no map or other description in the bill of where these houses will be located. The supposed "sideboards" in the bill are not that:

- The bill states the houses will not be allowed on high value farm lands or farm lands with Class 1, 2, or 3 soils. That is a restriction without meaning in this area, where most farm soils are class 4 and above – the kind that are great for raising Oregon's #1 agricultural product: cattle.
- These houses will likely be in competition with agricultural uses for water, an increasingly limited resource in this region. Because these houses would be on domestic wells, they will be exempt. Department of Water Resources maps show groundwater capacity for agricultural irrigation around Ontario as already near capacity. The bill's only restriction is on locating the housing is when an area has *already been* declared a groundwater restricted or critical groundwater area – and that is when an area is already at the crisis point. This legislature has before it a bill in Ways & Means for a grant program to remediate reductions in groundwater for domestic wells in Harney County, and to establish the Domestic Well Remediation Fund. Oregon should not be continuing this cycle, especially when we are experiencing decreasing water resources and rainfall.
- Oregon wildfire maps show areas of "very high" and "high" risk wildfire risk outside of Ontario and Vale, in areas zoned for EFU. Increasing the housing and people who are not engaged in ranching and farming will increase the risk and cost of wildfires.

Instead of opening Eastern Oregon's farm and ranchlands to residential development, we recommend the state invest in the infrastructure needed to help cities grow and prosper, and in

growing existing agriculture-related businesses, improving transportation needs of agriculture, and incentivizing value-added production.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy". The signature is written in a cursive, flowing style.

Mary Kyle McCurdy
Deputy Director