

**McCarthy Family Farm
Parkdale, Oregon**

Testimony on HB 2192, Feb 21, 3pm

Hearing of the House Committee on Agriculture, Land Use, Natural Resources and Water.

McCarthy Family Farm raises apples, cherries, pears, cattle, and timber in the Hood River Valley. Because pears can only be grown in a very unique climate, the Mid Columbia raises 40% of the winter pears grown in the US. Hood River County also raises more lbs of food per acre than the average of any other county in Oregon.

We oppose this bill as currently worded. Although as presented it may seem a simple house replacement bill, maybe for dwellings lost in wildfires. If this were the only effect that would be fine. But it is not simply that. It opens the door to approve numerous other types of dwellings on farm and forest lands. And furthermore the vagaries of the bill will allow county interpretation to allow any and all applications to be permitted. "Yea we thought there was a building there".

Errors in the bill: The look back period is much too long. The removal of the sunset period will be extremely detrimental to farm and forest land protections. The bill should not contain wording like the dwelling "has had" plumbing, wiring or etc. This is wide open for interpretation and abuse. Hardship dwellings can be necessary but the process is fraught with errors. Hardship issues can be created by anyone for any reason with no clear criteria or oversight. Then hardship dwellings are almost never removed.

We oppose and all bills that allow additional uses in farm and forest zones. Since I bought my first farm in 1980 and started farming in the Exclusive Farm Use zone about 60 uses have been added to the farm zone, most of them non farm uses. This was the EFU zone. Now moving toward a tourist only zone where it is very difficult to farm and use the small county roads to move equipment and food to market.

As we approach the 50th anniversary of SB100 we need to commit to protecting the system and achieve the intent of the act. I have been actively involved in farm and forest land protection for 42 years and have seen so many attempts to destroy the farm zone for food production.

A couple of facts about the system that you may not know:

There is no system for monitoring compliance with the law.

The system is faltering from a multitude of non compliance issues and no enforcement.

The system is inequitable to those who follow the law and is favored by the rich and those in power.

The system infringes on the rights of those in the zones who follow the law.

Counties have financial incentives to permit anything and everything.
Financial disincentives exist for denying permits and then defending those decisions.

A lack of compliance occurs by several means in some counties:

Counties permit uses in a non transparent manner.

Counties permit uses that are clearly unlawful.

Counties permit conditional uses with conditions that are clearly unattainable or unenforceable.

Counties don't enforce even when complaints are filed. Citizens enforcement is nearly impossible.

Counties in general believe local control is better which in many cases means no farm or forest land protection.

ORS's are written vaguely or with intentional loop holes. Don't fall for the loop holes. Counties use the loop holes and "discretion" to permit anything and everything.

There are hundreds of non compliant uses in Hood River County and around the state.

These are negatively effecting our ability to farm.

These many new uses are increasing land prices moving farm land away from food production.

Please do not allow any new uses on farm or forest land including those in HB2192.

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