

To: Senate Committee on Labor & Business

From: Aileen Kaye

Date: 2-28-24

Re: "No" on –A6 Amendment to HB 4040

Dear Senator Taylor, Vice Chair Bonham, and members of the Committee,

I urge a strong No vote on the –A6 Amendment to HB 4040.

Why are we citizens of Oregon being subjected to having to try to find out what shenanigans are being pulled via gut and stuffs, especially with very little notice? The short sessions of the Oregon legislature are being exploited by those who want to cram way too much into a six-week time frame that is supposed to focus on allocation of emergency funds and housekeeping on legislation passed in the previous session that needed tweaking.

The –A6 amendment appears to be an attempt by a landowner to bypass Oregon's protective land use laws to establish a golf course! This is not an appropriate use of legislative time and taxpayer dollars! Finding out about this sneaky maneuver is very discouraging to put it mildly.

I am asking that every legislator view the 80-minute Oregon-made film, "An Oregon Story" via computer. It will educate and remind legislators about the blood, sweat, and tears shed by dedicated legislators in previous years to make Oregon the beloved state it is by establishing our land use planning system which has kept Oregon beautiful and bountiful. Please watch this film via anoregonstory.com.

Surveys taken in the last several years strongly indicate that Oregonians want **farmland preserved as farmland.**

Decisions made during the 2023 session and this session are threatening Oregon's quality of life. We are headed in the wrong direction.

Please see the info below from a recent news piece and vote "No" on the -6 Amendment to HB 4040. Thank you.

"Oregon continues to lose farmland", Alejandro Figueroa, Oregon Public Broadcasting

From 2017 to 2022, Oregon lost 4% of its farmland. **The state is the second**

highest among western states with the most decrease in farmland behind Washington, which raises red flags for some agricultural land conservation advocates.

In Oregon, there are now more than 35,000 farms and ranches — a decrease of 5.5% — on 15.2 million acres of farmland, which is down 4% from 2017.

That's according to the newly released 2022 Census of Agriculture conducted by the U.S. Department of Agriculture every five years.

Within those five years, Oregon lost over 660,000 acres of farmland despite land use laws that restrict development unrelated to agriculture on land zoned for farming.

Oregon's land protection laws are enshrined in Senate Bill 100, which passed in 1973. The foundation of the law is a set of 19 statewide land use planning goals. One of them, goal three, requires counties to identify farmland, designate it as such, and zone it as exclusive farm use, or EFU.

Greg Holmes, the working lands program director for 1000 Friends of Oregon, said the reasons Oregon is losing farmland are varied. He notes not all Oregon exclusive farm use zoned land is farmed and not all land being farmed is zoned as EFU, so the USDA's census of how much Oregon farmland has been lost can be different than the state's.

Still, whichever way it's counted, Holmes said, the rate at which Oregon is losing its farmland is concerning.

One of the reasons for the loss is EFU land being rezoned for urban use — though it's not much. Since 1989, about 28,000 acres of farmland have been rezoned, according to the latest farm forest report from the Oregon Department of Land Conservation and Development.

A bigger reason is that Oregon has increasingly permitted more non-farm uses on EFU land without changing the zoning, putting farmland out of production. Holmes said that has allowed landowners and developers to misinterpret the law to develop golf courses, dog kennels or wedding venues — none of which are related to farming, according to Holmes.

“There are people out there that are taking advantage of the different interpretations to do things that are taking farmland out of production,” Holmes said. “That’s concerning.”

Jim Johnson, the land use and planning coordinator for the Oregon Department of Agriculture, said farmland loss also could be due to more utility-scale solar developments on farmland and a yearslong drought that has forced some farmers, especially in central Oregon, to cease production on their land due to a lack of water.

Still, Johnson said, non-farm uses of farmland are by far the biggest factor for the loss, which can add up over time.

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