

March 31, 2025

Chair Pam Marsh

Members of the Committee on Housing and Homelessness

I firmly oppose HB 3928. It is clearly inconsistent with longstanding Oregon land use policy. Governor McCall warned us in 1973 about the “shameless threat” of suburban sprawl in the Willamette Valley and of “sagebrush subdivisions” elsewhere.

From 1975 to 2008 I reviewed proposed land use bills at the Oregon Legislature for the Department of Land Conservation and Development as their farmland and rural policy specialist. I also assisted Legislators craft major land use bills and reforms and improvements to protect farmland. In my experience, HB 3928 is one of the most reckless and irresponsible proposals ever introduced and is inconsistent with the basic tenants of the Oregon land use system to protect valuable resource lands and focus development inside Urban Growth Boundaries. Please see the attached history of farmland protection I co-authored to better understand how Oregon has long protected its valuable farmlands.

Further, it changes the basic approach to the protection of farmland and the provision of housing for farmers and nonfarmers in current law. First, it ignores the primary principle to protect farmland based on its inherent soil quality rather than the actions of the landowner. Section 2(2)(c) makes land eligible for nonfarm housing by simply stopping farming the land. Second, the bill does not require any of the proposed housing to not impact adjacent farming activities using the longstanding noninterference provisions for nonfarm development in ORS 215.296. Finally, it is undemocratic because Section 5(b) exempts county approval from a public review before the Land Use Board of Appeals.

For these reasons, HB 3928 should be discarded and not approved by the Committee let alone sent to the full House for review.

Bad bill – should die. Thank you for your consideration of these comments.

Ronald Eber (Rural Lands Policy Specialist – 1975-2008, DLCD Retired)
Edmonds, Washington