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STATE SENATOR
DISTRICT 13



Testimony in Opposition of [HB 4153](#)

February 9, 2026

Co-Chairs Helm and Owens, Vice Chair Finger McDonald, and Members of the House Committee On Agriculture, Land Use, Natural Resources, and Water,

We, the undersigned legislators, write in opposition to HB 4153, a bill that would significantly change Oregon's land use laws by expanding non-farm commercial uses on Exclusive Farm Use land.

Much of the testimony in *support* of HB 4153 suggests the bill is necessary to protect small farm stands, agritourism, and the family oriented farm experiences Oregonians value. Respectfully, this reflects a misunderstanding of both current law and the bill itself. **Existing statutes already allow farm stands, direct sales, agritourism events, wineries, cideries, and seasonal on-farm experiences so long as agriculture remains the predominant use of the land.** These activities are **not** under threat today.

We understand that the goal of this bill was to reduce ambiguity. Unfortunately, HB 4153 does not *clarify* existing law, it *replaces* it. The bill deletes the current "farm stand" framework and introduces a new and problematic "farm store" use that dramatically **weakens the requirement that farming remain primary**. Under HB 4153, a year round store of 10,000 square feet could operate on EFU land while as little as one acre of production supports it, and up to 95% of products sold could be retail merchandise or prepared food *unrelated* to the farm. This is not agritourism, it is **commercial retail development on farmland**.

We are especially concerned that the bill removes meaningful county review for adverse impacts on neighboring farms and provides no clear oversight from ODA or OLCC regarding food service, alcohol sales, or event intensity. It strips counties of the ability to make local determinations of applications based on site suitability, traffic, water use, noise, or safety concerns.

While we believe those working on the bill truly strive to support Oregon farms, we believe this policy as drafted has the ironic potential to leave Oregon's beginning farmers and small farms behind. The bill excludes farms under 10 acres and effectively raises land values by incentivizing non-farm commercial development on land taxed at a lower EFU rate. **It risks pricing working farmers out of the very land they steward and encouraging roadside**

attractions. Without proper sideboards, this bill could allow our agriculture focus to shift away from the core value of productive farmland and disrupt the legacies of our working lands. We believe we should do everything we can to protect Oregon's agricultural heritage and long-term working lands viability for our *future* farmers.

Oregon's Exclusive Farm Use system is an important foundation for our \$42 billion agricultural economy. It draws a clear line that farming comes first. To address legitimate concerns about clarity in farm stand or agritourism permitting, We suggest allowing ODA and DLCD to finalize the rules they had nearly finished drafting after the Rules Advisory Committee was dissolved, or take this up in a long session. **HB 4153 could too easily shift agriculture to a secondary role on many properties and it opens a loophole that will be difficult to close.**

On behalf of the small farms and farm stands across Oregon, we respectfully urge the committee not to move HB 4153 as written, and instead to allow the Oregon Department of Agriculture and Department of Land Conservation and Development to complete their rulemaking process.

Thank you for your consideration.

Sincerely,



Senator Courtney Neron Misslin
Co-Vice Chair Environmental Caucus



Senator Khanh Pham
Co-Vice Chair Environmental Caucus



Senator Jeff Golden
Co-Chair Environmental Caucus



Representative Mark Gamba
Co-Chair Environmental Caucus