

Submitter: dennis harris  
On Behalf Of:  
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water  
Measure, Appointment or HB4153  
Topic:

Written Testimony in Opposition to HB 4153  
Oregon State Legislature

Submitted by: Dennis R. Harris  
Location: Yamhill, Yamhill-Carleton AVA Area  
Position: Small Farmer of 7.13 Acres  
Bill: HB 4153

Chair, Vice-Chair, and Members of the Committee,

My name is Dennis Harris, and I am a small farmer in Yamhill, Oregon, with 7.13 acres. I am writing in strong opposition to HB 4153.

We are beginner farmers in Yamhill Oregon. We began U-Cut, U-Pick seasonal operations last year for fir trees and orchard produce. It was a pleasure to see the delighted faces of customers and their kids, when selecting trees and produce from the place they were grown. Our prices are modest, as we get to know our community and build a following. We plan to expand our farm sales to a small store in the future, with the hope of breaking even or eking a small profit.

Many others have commented on the financial challenges of small farmers, and we have seen first-hand that this is doubly true for farms under 10 acres. Labor, insurance, and products are disproportionately expensive relative to the larger farm, as labor costs, insurance, are scaled and volume-discounted for the larger operators. We work hard, stewarding our land zealously. However, despite these efforts, the overall result is low net profit or net loss annually.

This is why we view HB 4153 with great alarm: As written, this bill would prevent any farm under 10 acres or under 10K income over 2 years--this includes us, and many of our neighbors--from legally operating a U-Cut/U-Pick, farm stand, or farm store--operations which are legal today. Perversely, the bill does not set any acreage or income requirements for larger farms, just the smaller ones. We cannot compete in the marketplace with farms that have scale; our jobs are always "too small". And this bill stands to make this playing field vastly more uneven.

There are many things to like in the current bill: For example, clarification that processed farm products ARE farm, not incidental, products. But the bill takes away

opportunities from the sub-10-acre and new farmer with the current acreage and income requirements. As a secondary matter, we feel the bill also goes too far in moving away from requirements for sale of non-farm produce. This risks turning the farm into non-farm commercial ventures, and completely and turning pastoral into urban venues with all the traffic and urban blight that goes with it.

The bill needs to be revised, as it is unfair to sub-10-acre farms. Here are the changes to the bill we would like to see:

The bill favors large farms and is thus unfair: Do not place an undue burden on the sub-10-acre small farm with size and high income requirements that larger farms are not subjected to. Acreage per se should not be a criterion for a farm store/stand at all. Income and area-under-cultivation requirements, if present, should match existing farm deferral requirements. The \$10,000 income requirement is too high.

Provide explicit protections for currently allowed Ucut/Upick and farm stand operations: The basic ucut and farm stand, which does not require a permit, should not be disallowed by this bill; but the bill must protect these with explicit statements.

The proposed acreage and income requirements have undesirable loopholes that can destroy the tranquility at neighboring farms. It would allow for example, very large farms to exploit the bill's intent by having very little land under cultivation, while having most of the land open for unlimited concerts and events, transforming pastoral communities into city atmospheres.

I respectfully urge you to defeat this bill, until it is revised to be: 1) more fair to very small farms in accessing the bill's opportunities, and 2) explicit, to protect basic Ucut/Upick and farm stand operations.