



ORCA: Oregon Coast Alliance

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Protecting the Oregon Coast

Feb. 25, 2015

Laura Handzel, Administrator
Senate Judiciary Committee
Oregon State Legislature
Salem, OR

Re: SB 86

Sent via email: laura.handzel@state.or.us

Dear Chair Prozanski and members of the Committee,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit corporation whose mission is to protect and restore the coast's natural resources. We write in strong opposition to SB 86, which would allow firearms facilities on land zoned exclusive farm use, forest and mixed farm and forest.

This bill is similar to a bill in the 2013 Legislature, which was defeated. The list of non-farm uses allowed on farmland has been steadily growing. Adding firearms training facilities to the list is a very bad idea; it takes farmland out of farm use, burdens farming operations, and places noisy facilities in quiet rural areas to the detriment of rural residents, rural transportation infrastructure and rural homeowners' property values.

Tillamook County struggled with such a proposal in 2010; the Board of Commissioners turned it down because of the effects on the surrounding dairy industry and rural homeowners, as well as a desire to protect the County's farmland base. The Tillamook Farm Bureau was opposed to the proposed firearms training facility, as was the Oregon Farm Bureau. Both of their letters are attached. If this bill is passed, Tillamook County will likely have to go through the entire struggle again to defeat a proposal that is detrimental to their prime industry – dairying.

Furthermore, ORS 166.170, 166.171(2)(d) and 166.176 (2)(a) contain a strict pre-emption that prohibits local governments from “regulating, restricting or prohibiting the discharge of firearms on a shooting range...” (ORS 166.176(2)(a)), and “a person

discharging a firearm on a public or private shooting range...” (ORS 166.171(2)(d)). This means that the County could not even place restrictions on such a facility to make it quieter, prohibit certain kinds of firearms, regulate the hours of operation, require muting devices, etc. This makes locating firearms facilities on farmland even more problematic for farmers and ranchers.

The coastal region contains many farms maintaining cattle and other animals, whether for dairying, ranching or other agriculture. This is especially true in Tillamook County, where the dairy industry is strong. Animals are negatively affected by the loud noises emanating from firearms facilities; allowing firearms training on farmland is thus directly harmful to farming operations, as well as to the farmland itself. This is all the more true since counties cannot even regulate the facilities under state law.

In addition, the coastal region has among the highest percentages statewide of people living outside urban growth boundaries of towns – nearly half of the population. There are small unincorporated communities, and a high number of scattered rural residential houses. As a result, coastal residents will be especially heavily affected by allowing firearms facilities on farmland, especially in places like Tillamook County and Curry County.

Oregon Coast Alliance strongly urges the Committee not to approve this bill, which would be so detrimental to farm operations and the farmland base in the coastal region, burden rural transportation infrastructure, and deeply impair the livability and property values of rural residents living anywhere near a firearms training facility.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Executive Director

February 10, 2011

Charles Hurliman, Chair

Tillamook County Commissioners

201 Laurel Avenue

Tillamook, OR 97141

Re: ZC-09-01, Proposed Zoning Changes to Exclusive Farm Use Zoned Property in Tillamook County

Dear Chair Hurliman and Members of the Tillamook County Commission,

There has been no change in the opinion of the Tillamook County Farm Bureau. We still strongly object to the requested Zone Change, as stated in the letter addressed to the Tillamook County Planning Commission from Jennifer Shmikler, a Regulatory Affairs Specialist of the Oregon Farm Bureau, dated April 21, 2010.

The Tillamook County Farm Bureau asks the Tillamook County Commission to reject the proposed Zone Change request. Thank you for providing the opportunity to submit these comments on behalf of our members.

Sincerely,

Carol Marie Leuthold, President

Tillamook County Farm Bureau

Richard Obrist, Vice President

Tillamook County Farm Bureau



April 21, 2010

Kurt Heckerth, Chair
Tillamook County Planning Commission
201 Laurel Avenue
Tillamook, OR 97141

RE: Proposed Zoning Changes to Exclusive Farm Use Zoned Property in Tillamook County

Dear Chair Heckerth and Members of the Tillamook Planning Commission:

The Oregon Farm Bureau Federation (OFBF) submits these comments on behalf of its 8,000 farming and ranching member families statewide. As Oregon's largest general farm and ranch organization, our primary goal is to promote educational improvement, economic opportunity, and social advancement for our members and the farming, ranching, and natural resources industry as a whole.

OFBF strongly objects to the proposed comprehensive plan text amendment submitted by the Tillamook Shooters Association to re-designate exclusive farm use (EFU) zoned property for permission to establish any non-farm activities. We support the principle of land use planning for the purpose of protecting the resources and the agricultural environment and infrastructure needed for farmers to produce food and fiber for current and future generations. We oppose any efforts to remove economically productive farm land once it is zoned for farm use only. We ask the Tillamook Planning Commission to deny the re-designation of the EFU zoned property in this current application.

The proposed comprehensive plan amendment appears to be designed to circumvent Oregon's land use planning system and provide a mechanism allowing an otherwise non-authorized activity on EFU designated property. The application is inconsistent with statewide planning goals as enumerated by the Oregon Department of Land Conservation and Development. Should the Tillamook Planning Commission choose to amend the county's comprehensive plan to remove the EFU zoning designation, OFBF will consider assisting Tillamook County Farm Bureau and affected landowners in submitting an appeal to the Oregon Land Use Board of Appeals.

The primary purpose for the comprehensive plan text amendment is to construct a firearms facility in the Tillamook area. OFBF believes that the removal of the EFU zone designation will

have several impacts to the agricultural community including harm to animal welfare on adjacent farmlands, devaluation of surrounding farm property, lead contamination from runoff and a significant increase in traffic on roads specifically designed for agriculture use only.

Thank you for providing the opportunity to submit these comments on behalf of our members. OFBF asks the Tillamook Planning Commission to abandon the proposed comprehensive plan text amendment and consider alternate approaches or sites proposed for the establishment of a firearms facility that do not interfere with agriculture.

Sincerely,



Jennifer Shmickler
Regulatory Affairs Specialist
Oregon Farm Bureau

CC: Tillamook County Commission