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STATE REPRESENTATIVE  
DISTRICT 15

## **HB 3367—Bike Paths on EFU Lands**

April 7, 2015

Representative Brian Clem  
House Committee on Rural Communities, Land Use & Water  
900 N. Court Street  
Salem, OR 97301

Mr. Chair and Committee Members,

This bill stemmed from a project in Benton County where the County proposed constructing a bike path through miles of prime farmland. While the county ended up going through the land use process, the proposed bike path highlighted a dispute in current law as to whether land use permits were required for trails through lands zoned for farm use.

Given the significant interest in "rails to trails" projects, this bill is necessary to clarify that these recreational trail projects should go through the local land use process, and ensure that impacted landowners have a forum to raise potential impacts and conflicts associated with these projects.

HB 3367 would require recreational trails to go through the conditional land use permitting process. Under current law, it is not clear whether recreational trails are permitted outright in farm use zones, or whether they must have a permit from the local governing body before they are constructed.

HB 3367 clarifies that recreational trails require a land use permit. The permit process gives neighboring landowners a forum to provide evidence on impacts to their farming operations from the project, and requires the local governing body to make a finding that the project will not significantly increase the cost of farming practices or force a significant change in farming practices in the area impacted by the project.

I encourage your support of this bill to protect farmers and their land.

Andy Olson  
State Representative – HD 15