

April 5, 2017

Representative Brian Clem, Chair, Rep.BrianClem@oregonlegislature.gov
House Committee on Agriculture and Natural Resources
hagnr.exhibits@oregonlegislature.gov

RE: House Bills 2937 and 2938

Chairman Clem and Committee Members,

My name is Kathryn Jernstedt. I live at 8156 NE Mineral Springs Road in Carlton in Yamhill County. This is part of the Frank and Anna Jernstedt Farm established in 1891 and which proudly celebrates its recognition as a Century Farm. I wish to testify in opposition to HB 2937 and 2938.

As a member of the fourth generation on the family farm I treasure SB 100 and all it entails for protecting that legacy. During that process and in subsequent reviews a great deal of care and consideration has gone in to identifying the high value farmland and developing strategies to keep it in productive use. These bills do not make any distinction or allowance for foundational farm land. Houses do not care about soil types but they are critical to the success – or failure – of Oregon's high value crops.

The bills before you profess the admirable goal of promoting affordable housing but I do not see how undermining Oregon's preeminent land use planning system will do that. Affordable housing is needed close in to jobs, transportation, schools, and other essential services. Developing it outside of the urban growth boundary is costly, inefficient, and counter productive.

As someone currently engaged in major home remodeling and repair work on the family farm I can provide first hand testimony to it not being at all affordable to do

construction out in the countryside. In my part of the state potable water in the quantities needed for modern living – i.e. laundry, bathing more than once or twice a week – is hard to come by and expensive to develop if you do find it. There are a lot of septic drain fields that have been inundated with ground water during these last few months.

At our place once a vehicle leaves the county road there is a mile of private gravel road that was never suited to concrete trucks or modern freight hauling. And if you wonder about the heavy farm equipment on that road they at least can manage their timing or drive on the fields. And there are still plenty of complaints about the wet or the dust or the bumps and holes.

We need to avoid romanticizing life on the farm. Families with children attending schools that rely heavily on internet access will find the rural infrastructure lacking and/or expensive. The added burden of transportation to school, participation in extracurricular activities, jobs, shopping, health care, etc. will undermine affordability. Farm activity can be dusty and at times happens at night. Modern practices include chemical applications, winery bird cannons and shooting at squirrels in the filbert orchards happens on its own schedule.

With regard to the language in the bills, there is no clarity with regard to who would own the structure or the specific spot of land where it sits. What would be the implications for tax evaluation within the EFU zones? There are myriad legal questions that would arise as time passes with the inevitable occupancy and ownership changes. A stick-built structure is not treated like a manufactured house under the law.

Recreational vehicles are thought of as self-contained but only for limited durations. Suitable drinking water and waste disposal facilities are required. Would the land owner be expected to provide them? Or would the occupant be

required to pull up stakes and drive to such facilities elsewhere? Or are we simply promoting short term vacation rentals on farmland?

There is no provision to insure that these are affordable residences for the local population. This is the same ORS Chapter that enables agri-tourism. Is this allowing vacation rentals? Is the proliferation of rural tasting rooms and event centers going to now include overnight accommodations?

I support efforts to address affordable house like lifting the ban on inclusionary zoning but please do not advance either of these bills. The good intentions of supporter do not compensate for the flaws.

Sincerely,

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