



Testimony in **OPPOSITION** to HB 2357 (Limiting Land Use Appeals)

To: House Committee on Agriculture and Land Use

From: Central Oregon LandWatch

Date: February 12, 2019

Mr. Chair, members of the Committee:

On behalf of Central Oregon LandWatch, we urge a NO vote on HB 2357, which seeks to limit Oregonians' ability to engage with their government.

Central Oregon LandWatch has a mission of achieving a responsible, balanced approach to planning for and conserving Oregon's land and water resources east of the Cascades, while recognizing the needs of future generations. We strive to work cooperatively with disparate groups when we can, and to push back against ill-conceived efforts where we must.

HB 2357 is inconsistent with Oregon's long history of public involvement and open government. It adds two significant bars to members of the general public who wish to be involved in local government processes:

1. Limiting standing in land use appeals to an individual who resides or "maintains a place of business" within 25 miles of the jurisdiction. This is problematic on a number of practical fronts as well as on principle. Firstly, it ignores individuals who work, recreate, or have another interest in a particular location but neither reside nor maintain a business there. This would include, for example, individuals who regularly commute to a location and have an interest in the transportation infrastructure.
2. Even for those residing or maintaining businesses within 25 miles, the measure continues to limit standing to individuals who appear in person to the relevant local government at a hearing (when a public hearing is available). Many residents affected by a land use decision -- even those that live close by -- may have legitimate reasons for

missing a public hearing and instead submitting testimony (and therefore gaining standing) in writing. Some may struggle with mobility issues, some may have limited transportation options, and some may simply have work or family obligations that limit their availability. Whatever the case, this measure disadvantages everyday Oregonians who would like to engage their local government while advantaging those who are able to hire attorneys to attend and present at these hearings on their behalf.

Fundamentally, this measure is built upon the premise that our land, infrastructure, and natural resources have no effects outside of a 25-mile radius. In fact, a salmon fisherman on the coast may have an interest in maintaining water quality upriver in Central Oregon. A farmer in Eastern Oregon counting on exporting produce to overseas markets may have an interest in the quality of the transportation infrastructure leading to the Port of Portland.

This measure proposes to close many Oregonians out of the public processes around land use and limit them from engaging with their government.

We urge your NO vote on HB 2357.

Thank you.