

Leavy Farm, Inc.  
22675 Butteville Road N.E.  
Aurora, Oregon 97002

To: House Committee on Agriculture and Land Use

From: Patrick Leavy, Leavy Farm, Inc.

Re: SB 287 A

Date: April 16, 2019

I have grown hops commercially on our family farm in the Willamette Valley for 41 years and I support farm based brewing. Under current land use law, a brewery is allowed on exclusive farm use (EFU) land as a use in conjunction with hop farming. There are approved farm breweries on EFU lands at this time. Senate Bill 287 sets new standards for the establishment of farm breweries on EFU lands. The bill sets an acreage minimum (15 acres) necessary to qualify a farm for a brewery and sets a barrelage maximum (15,000 barrels) to limit the size of the facility. Understandably both standards regulate and limit the activity of brewing on exclusive farm use lands.

There is one standard in the bill which does not regulate the activity of brewing but does regulate who may establish a farm brewery. The bill prohibits an entity from establishing a farm brewery if that entity produces 150,000 barrels or more of malt beverage anywhere on earth. This limitation has nothing to do with farm use. There is no explanation for why this is important and it is just plain over-legislating. The bill should regulate the what not the who. There is no difference between an entity in this world producing 149,999 barrels and one producing 150,000 barrels. I respectfully asked that the limitation (less than 150,000 barrels) on who may establish a farm brewery on EFU land be removed.

Thank you for your time.