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May 8, 2019

Senate Committee on Environment and Natural resources
State Capitol
Salem, OR 97301

Re: HB 3024

Dear Chair Dembrow and Committee Members:

1000 Friends of Oregon has concerns about HB 3024, which would alter a law recently passed by this legislature, in 2013,¹ establishing standards for when a structure qualifies as a dwelling for which a replacement should be allowed on exclusive farm use (EFU) land.

HB 3024 would also un-do the Oregon Supreme Court's decision in *Landwatch v. Lane County*, S065917, 364 Or 724 (2019), which was just issued, on April 25, 2019. In that decision, the Court confirmed the legislature's intent when it passed that law in 2013 - which was to allow a maximum "look back" of five years for replacement dwellings on EFU land.

The existing statute is the result of a thoughtful compromise. It allows people to replace dilapidated farm dwellings for which they have been paying taxes, but protects against other past structures from being used to gain a new dwelling. Finally, HB 3024 is not needed. The existing statute sunsets in 2024, and should be allowed to continue working.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy".

Mary Kyle McCurdy
Policy Director and Staff Attorney

¹ The bill was HB 2746, in 2013.