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Via Electronic Mail

May 14, 2019

To: Senate Committee on Environment and Natural Resources; [and many others].

Re: I DO NOT SUPPORT: [HB 3272 A]: Don't restrict access to LUBA-the sole protector of Oregon lands.

The Land Use Board of Appeals (LUBA) is being overwhelmed with Appeals of Land-Use decisions.

The State of Oregon is rapidly destroying its' Resource economy of; timber, forest products, agriculture and fisheries due to economic development of rural Oregon designed to relieve pressures of overburdened cities.

The Oregon Legislature's stubborn and ill advised pursuit to entice and support the "High-Tech and Service Industry" economies is to the detriment of Oregon's Resource economies of; timber, forest products, agriculture and fisheries. There are mounting pressures for Oregon cities to expand their Urban Growth Boundaries to accommodate unexpected growth arising from the economic development policies to support the "High-Tech and Service Industry" sectors of Oregon's economy. There are also pressures associated with the "Sanctuary State."

This UGB expansion creates multiple complex conflicts relating to Land Use Decisions made by local jurisdictions resulting in significant numbers of Appeals which are burdensome and oppressive to LUBA due to a lack of additional and qualified staff to adequately address significant case load increases. It is only going to get worse due to the perverse economic development policies of Oregon's Legislature pertaining to rural Oregon jurisdictions.

In Yamhill County, I have witnessed the Board of Commissioners make one poor Land Use Decision after another to support "Agritourism." These poor decisions include economic perks for; Wineries, Bed & Breakfast operations, Cider-houses and "Farmhouse Breweries whose tasting rooms have degenerated into "Roadhouse Bars." And then there is the Yamhelas Westsider Trail. This cheesy economic development scam was recently remanded by LUBA.

Yamhill County's permitting process concerning economic development and Agritourism are an ongoing abomination. There is a case pending before LUBA where a Brewery attained "Agritourism and conditional use permits" despite evidence presented in multiple public hearings whether the farm's agricultural products supported the Brewery. In this case, it is the Brewery's products that supports the dilapidated farm.

The Yamhill County Assessor has failed to reassess an Exclusive Farm Use Zone designation of twenty (20) acres because this farm only "farms" ten (10) acres of hazel nuts. Yamhill County refuses to investigate or hold any county department accountable. These intentional acts are cumulative, ongoing and can lead to LUBA Appeals.

Yamhill County is an example why LUBA has increased case loads and why it is only going to get worse.

***LUBA is the only governmental body which protects and defends Oregon's priceless and irreplaceable farm lands from the economic development policies of Oregon's Legislature. **Thank-you LUBA!**

It is imperative additional funding sources be identified and secured to adequately prepare LUBA for expanded case loads.

DO NOT restrict access to LUBA. Just review [SB 8], [HB 2001] and [HB 2003].

VOTE "NO" ON [HB 3272 A]!
Respectfully submitted,
/s/ David S. Wall