

Testimony re: HB 4153, House Committee on Agriculture, Land Use, Natural Resources and Water

I am writing to express deep concern about HB 4153 and its potential impacts on Oregon's farmland, rural communities, and specifically Sauvie Island. I support Oregon agriculture and farmers and understand the need for their economic resilience. This bill represents a significant shift from current farm stand regulations and raises serious questions about cumulative impacts, enforcement, and rural livability and character.

Current law allows farm stands on EFU land to show that at least 75% of annual sales come from farm products grown on the farm or nearby farms; no more than 25% may come from incidental retail or fee-based promotional events; structures cannot be used for banquets, entertainment, or large gatherings; and events must be incidental to the sale of farm crops. These rules ensure that farms remain primarily agricultural and do not evolve into commercial event venues. I understand that some farmers feel these constraints are no longer economically viable. There are many market pressures affecting agriculture, and the need for locally sourced, diverse food is essential.

HB 4153 eliminates the 75/25 revenue rule and replaces it with a new "farm store" use that is far broader in scope. Instead of limiting commercial intensity, the bill requires only that a portion of the parcel—often about half—be in "farm use," allowing the remaining acreage to be used for buildings, parking, and unlimited events and activities. For EFU, MUA, and mixed farm and forest parcels under 20 acres, no on-site cultivation is required at all if the parcel "operates in conjunction with" a farm operation that earned \$40,000 in gross income over the previous two years. The bill does not require that this income come from agricultural production, nor does it define what "in conjunction with" means. As a result, income from events or other non-agricultural activities could qualify a small parcel for a farm store even when the parcel itself produces nothing. This structure allows EFU, MUA, and other mixed farm and forest parcels to host commercial event activity even when little or no farming occurs on-site. Rather than strengthening agricultural production, the bill risks shifting farmland toward commercial event uses and reducing the amount of land actively farmed.

Across Oregon's EFU, MUA, and mixed farm and forest use zones, HB 4153 could unintentionally open the door to commercial retail and event centers on small parcels that are not viable farms; satellite "farm stores" disconnected from on-site cultivation; increased traffic, noise, lighting, and visitor pressure in rural areas; difficulty for counties to manage cumulative impacts, since the use becomes permitted outright without consideration of local context or community conditions; conflicts between agricultural operations and non-farm commercial activity; and a gradual erosion of the distinction between EFU land and commercial zoning. While the bill may be intended to support farm viability, its structure allows for significant non-agricultural retail and event activity without safeguards intended to protect farmland and rural communities.

Sauvie Island is uniquely vulnerable to these changes. It is a rural community with a single access road for all residents, visitors, and emergency services; heavy seasonal tourism and congestion; sensitive wildlife habitat and protected natural areas; a mix of EFU and MUA

parcels; sound that carries across open fields and water; and limited parking, narrow shoulders, and constrained emergency access. Under HB 4153, small parcels could host farm stores by partnering with larger farms, even if they have little or no agricultural cultivation on-site. Each farm store could host unlimited events, year-round, with no caps on size or frequency. Large farms could supply, support, or funnel products to multiple small parcels that qualify for farm stores under the income clause, effectively enabling multiple satellite stores across the island even when those parcels have minimal or no agricultural activity. Traffic, noise, lighting, and visitor pressure could increase dramatically. Emergency access could be compromised during peak seasons. Wildlife and ecological areas could face increased disturbance. Residents could experience significant changes to livability and rural character.

The cumulative effect of an increasing number of farm stores and unlimited events on a geographically constrained island is profound. Sauvie Island, and other areas, simply do not have the infrastructure to absorb this level of commercial expansion without impacting other farms and communities.

I recognize that many farmers are struggling to remain economically viable, and that agritourism has become an important supplement for some operations. However, HB 4153 does not address the underlying economic pressures that make farming difficult. Instead, it expands commercial event activity on EFU, MUA, and mixed farm and forest parcels without strengthening agricultural production or supporting the long-term viability of working farms. Agritourism can help in the short term, but it is not a substitute for policies that sustain actual farming. Without safeguards, this bill risks accelerating the shift of farmland toward commercial uses rather than supporting the agricultural base that Oregon communities depend on.

I respectfully urge the Legislature to consider the profound implications of HB 4153. Addressing the issues raised by this bill requires a broader and deeper examination of how Oregon supports agricultural viability, protects farmland, and manages commercial activity in rural areas. The structure of HB 4153 reflects significant, perhaps unintended, consequences that cannot be resolved through narrow amendments in a short session. A more comprehensive, deliberative approach is needed to ensure that any changes truly support farmers while preserving the integrity of Oregon's working landscapes.

Oregon's farmland is a finite and irreplaceable resource, as are the farmers who steward it. Supporting agricultural viability is essential, but it must be balanced with the protection of the farmland itself, rural communities, ecological integrity, and the long-term character of our state's working landscapes.

Thank you for your consideration.

Cindy Reid