

Submitter: Katherine Daniels

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB4153

Dear Co-chairs Helm and Owens, and Committee Members,

I Strongly urge you to oppose HB 4153, which alarms me. As the retired Farm Forest Specialist for Oregon's Department of Land Conservation and Development, I know only too well the havoc this bill would create for farm and ranch communities throughout the state. The current farm stand and agri-tourism provisions in statute are already viewed by many in the agricultural community to be vague and overly permissive, resulting in cumulative impacts in some regions that threaten the future of agriculture, and that lead to considerable and continuing litigation. HB 4153 is broader and vaguer yet than existing provisions and would quickly lead to more litigation. I see numerous problem areas in the bill, including:

- A proposed definition of agri-tourism activity that conflicts with the existing definition in statute that was crafted after considerable public input;
- Proposed examples of agri-tourism activities that aren't required to be farm-related;
- Farm-to-table meals that aren't required to involve a substantial minimum percent of food to be grown on the subject farm or ranch;
- Farm store sales that don't require a substantial minimum percent of farm products to be grown on the subject farm or ranch;
- Farm stores on parcels as small as 10 acres, which are clearly not the commercial farm operations intended to be protected and promoted in EFU zones;
- And more

The considerable wiggle room in HB 4153 makes it ripe for abuse, already a problem for these uses in EFU zones. The proposed bill further has too much potential for conflicts with adjacent commercial farm and ranch operations to be a reasonable outright permitted use as proposed. If you haven't yet had input from DLCD on this bill, which I can assure you would like to have input, it's because for the last 15 years testimony on most proposed bills has been sharply limited by the Governor's office. That's a shame. I urge you to contact the current subject matter specialist on farm and forest land use matters at DLCD - Hilary Foote - who can answer your questions and give you objective, non-partisan input on this bill. The agency has spent considerable time conducting outreach and convening workshops over the years on farm stand and agri-tourism matters and so can be a helpful resource for you.

Thank you for your consideration.

Katherine H Daniels  
Retired DLCD Farm Forest Specialist