

Submitter: Mark Greenfield
On Behalf Of: me and my wife Jane Hartline
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water
Measure, Appointment or Topic: HB4153

Dear Chairs Helm and Owens, Vice-Chair McDonald, and Committee Members:

My wife and I own and operate a native plant nursery on Sauvie Island (Sauvie Island Native Plants). I am a former member of the Sauvie Island Community Association, and for many years I have taken an active interest before Multnomah County and the state in protecting agricultural lands for commercial farm use on the island. I strongly oppose HB 3154 because its provisions for “farm stores”, and its deregulation of agritourism events on the island and throughout Oregon, have the substantial potential both to create significant conflicts with commercial agricultural operations and to destroy the quality of life for people living in rural agricultural areas. I urge you to vote against it.

State law already permits farm uses and farm stands in Exclusive Farm Use Zones. As reflected in LCDRC’s regulations, these include U-picks, small gatherings, hayrides, corn mazes, school tours, pumpkin patches, farm animal exhibits, and other farm-related uses. Also, state laws permits the sale of incidental items at farm stands up to 25% of the farm stand’s annual sales. Moreover, farm stands may seek permits to allow agritourism events. The reasoning behind the permit requirement is sound: unregulated, these events can negatively impact surrounding farm operations and residents of farm areas. Hence, the statute requires a permit applicant to identify and address impacts to surrounding farm operations and demonstrate that events and other commercial activities are incidental and subordinate to farm use on the property. Moreover, the statute places caps on the number of allowed events, attendees and vehicles, and it sets limits on hours and duration. All of this makes a lot of sense to ensure commercial farming remains viable and the character of the area remains livable.

HB 4153, advocated by an organization (Oregon Property Owners Association, formerly Oregonians in Action) that for decades has fought to render Oregon’s land use system obsolete or toothless, would turn all of this on its head, likely turning many significant agricultural areas into primarily event and commercial venues. It would allow “farm stores” where up to 95% of the space could be used to sell food or retail items that have no connection to the farm. It would encourage speculation of agricultural land, making farmland far less affordable for new farmers. And it would eliminate the safeguards that exist under current law. No longer would uses need to be incidental and subordinate to the farm use as provided through the limitations in existing law. There are no adequate, reliable safeguards to ensure that farming

remains the predominant use of the land. These safeguards are necessary to protect our commercial agricultural enterprises.

In short, HB 4153 has the significant potential to make commercial activities and events – not farming – the predominant use of our agricultural lands. These lands are precious. Our state has voted, four times, to preserve these laws, when faced with efforts by organizations like Oregon Property Owners Association to eliminate them. Please don't let them destroy our farmlands through this backdoor effort.

I am not saying that our farm stand provisions are perfect. I believe some changes may be appropriate that would help the farming community without creating conflicts with farming operations. But HB 4153 is not the answer. It does not serve the interests of serious, legitimate commercial farmers who care about farm land protection and preservation. The bill is confusing and poorly written. And the issues are far too complex to consider in a short legislative session. PLEASE VOTE NO ON THIS BILL.

Thank you for your consideration.

Very truly yours,

Mark Greenfield and Jane Hartline