

SENATE COMMITTEE ON WATER AND LAND USE

January 21, 1997 Hearing Room C

9:00 A.M. Tapes 4 - 5

MEMBERS PRESENT:

Sen. Veral Tarno, Chair

Sen. Bob Kintigh, Vice-Chair

Sen. Ginny Burdick

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. David Nelson

Sen. Thomas Wilde

MEMBER EXCUSED:

STAFF PRESENT:

Mark Volmert, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

Oregonians in Action

Oregon Association of Realtors

Oregon Lands Coalition

Oregon State Grange

Association of Oregon Counties

League of Oregon Cities

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/#	Speaker	Comments
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TAPE 4, A		
004	Chair Tarno	Calls meeting to order at 9:00 a.m.
<u>Oregon Association of Realtors</u>		
015	Fred Van Natta	Oregon Association of Realtors, presents status of growth in Oregon. Predicts the start of a recession is in process; that urban growth will again decline. The organization is committed to * property rights * notice to property owners when zone changes proposed
080	Chair Tarno	Asks if notice is in draft form now
083	Van Natta	Responds that it is in some form at Legislative Counsel; continues presentation on 120-day rule. * 50 percent of applicants fee refundable if not upheld in 120 days
099	Van Natta	Measure deals with cutting off a parcel from a whole part of land (5 acres with dwelling). Farm land wants the same rights as forest land.
110	Sen. Fisher	Relates that he has a bill in process relating to division of land.
122	Van Natta	Continues presentation on proposed legislation on fire protection jurisdiction. Confine to applicant's property only.
137	Sen. Kintigh	Comments on urban interface requirements that may relate to this.
145	Van Natta	Continues presentation on income test for applicants. * application demonstrates dwelling necessary for farm plan * voting on annexations to change comprehensive plans
<u>Oregonians in Action</u>		
178	Larry George	Executive Director, Oregonians in Action, presents interest of his organization.
186	George	Presents flaws in land use currently and explains changes needed in the system. Small landowner taken the brunt of the laws.
235	George	Continues presentation on land use problems. * rural residences taking farm land out of production * productive valley soils versus less productive soils for residences

		* planning for those people who wish to live rural but not farm
272	George	HB 3661 presented as causing more problems * secondary land management. * Measure to require notice to landowners * property rights ombudsman needed * property rights value statements needed in statutes
310	Sen. Kintigh	Asks about limiting growth on farm land.
317	George	Responds that growth should be directed away from good farm lands.
343	Chair Tarno	Comments on rural development in his opinion. * elitist class created by cost of obtaining rural property * a balance of availability should be offered to all people
TAPE 5, A		
007	George	Continues presentation on hillside building.
012	Sen. Nelson	Asks about protecting eastern Oregon farm land.
019	George	Explains that the rules would have to differ from the valley to eastern Oregon. * if being farmed, should be preserved * land not in production needs to be looked at by counties
040	Sen. Nelson	Comments on water need in eastern Oregon on productive land.
049	Sen. Wilde	Comments that notification issue should be pursued.
060	Sen. Fisher	Comments on farm land development. * poor land vs. productive land
074	Dave Hunnicutt	Staff Attorney, Oregonians in Action, presents problems of people who apply for rural residences on small farms.
100	Hunnicutt	Comments on notice bill now in process. * rural land dwellings * secondary lands zoning * HB 3661 cites buildings on rural parcels taking land out of production

145	Hunnicutt	Continues presentation on the \$80,000 rule and \$40,000 rule: * Cuts out small scale family farmer
170	Chair Tarno	Asks about gross income
180	Hunnicutt	Continues on rules cutting out small farmer. * secondary lands bill proposed * drafting bill on secondary lands
227	Chair Tarno	Asks about marginal lands and secondary lands
242	Hunnicutt	Explains how production figures determine definition of land categories
275	Sen. Kintigh	Comments on "gutting" the land use laws perceived by some constituents.
285	Hunnicutt	Responds that the legislation needed is not proposed to "gut" the land use laws.
293	George	Comments on high density growth problems causing flaws in system.
<u>Oregon Lands Coalition</u>		
311	Evelyn Badger	Oregon Lands Coalition, standing in for Judy Wortman, describes the organization (EXHIBIT A) * diverse groups of members * based on new environmentalism * decision making at local level of government * stresses cooperation on all levels for management
TAPE 4, B		
012	Badger	Continues presentation on goals of organization * implementing natural resources and land regulations * cost of regulation * revenue gained or loss * information reported regularly to Legislature
		Continues on proposed legislation * eco-system management

056	Badger	<ul style="list-style-type: none"> * loss or gain to people in cost * threshold for requiring a cost analysis * which state agency should have their costs analyzed * Land Conservation and Development Commission (LCDC), Agriculture, Water Resources or other agencies? * who should perform the analysis, retroactive?
	Badger	Continues presentation on legislation to U. S. Congress relating to cost on state and local government on implementing the Federal Endangered Species Act and related action in Oregon.
074	Sen. Fisher	Thanks Ms. Badger for coming to give information on their group.
<u>Oregon State Grange</u>		
085	Ed Lattrell	<p>Oregon State Grange Master, gives background on the Grange (EXHIBIT B)</p> <ul style="list-style-type: none"> * stewardship of the land a priority * opposes farm and forest land for other uses * local control advocated * grazing and timber resources on public lands upheld * supports management to protect the timberlands and grazing lands
122	Sen. Ferrioli	<p>Comments that the legislative priority list of the Grange is a democratic process.</p> <ul style="list-style-type: none"> * community input of members * resource issues include transfer of land base from federal * water rights issues addressed by the Grange
<u>Association of Oregon Counties</u>		
171	Gordon Fultz	Assoc. of Oregon Counties (AOC), represents counties (EXHIBIT C) along with Gil Riddell, Art Schlack, represent 116 county commissioners
		Continues presentation on issues and goals of association.

180	Fultz	<ul style="list-style-type: none"> * more than an interest group * authority as partnership with the state * balance of issues sought
228	Fultz	<p>Continues presentation</p> <ul style="list-style-type: none"> * requiring notice * requiring funding * measure 47 causes problems in issuing notices due to cost
255	Fultz	<p>Continues presentation on Regional Problem Solving</p> <ul style="list-style-type: none"> * allows LCDC to waive rules * potential solution to some land use problems individually
215	Fultz	Continues presentation on concern over Measure 47 cutting ability to give services.
296	Fultz	Continues presentation concerning Measure 30 cuts. Asks for options to continue.
306	Sen. Tarno	Asks about role of AOC in Oregon and California (O & C) lands issue.
310	Gil Riddell	Responds they have a resolution supporting activities of the O & C County Association.
321	Sen. Burdick	<p>Comments on relationship between counties and state, which is both the strength and the frustration of the system built into SB 100.</p> <ul style="list-style-type: none"> * land use planning improvements have occurred * partnership important and must have resources
343	Sen. Fisher	Comments that counties will be watched to see what they pass on
TAPE 5, B		
005	Sen. Kintigh	Comments on costs to private business basis.
018	Art Schlack	<p>Land Use Specialist for AOC, presents role of local government in land use planning.</p> <ul style="list-style-type: none"> * historically local government's role in land use * HB 3661 * 36 counties have comprehensive plans

055	Schlack	<p>Continues presentation on goal of stability</p> <p>* process and procedure statutes</p> <p>* 120-day rule in 1983</p> <p>Regional Problem Solving Pilots</p>
<u>League of Oregon Cities</u>		
090	Phil Fell	<p>League of Oregon Cities</p> <p>Describes his organization and its goals. To protect resource land and encourage urban levels within.</p> <p>Comments on Measure 47's affect on annexation.</p>
135	Sen. Ferrioli	<p>Asks about federal land management stand.</p> <p>* lack of federal lands interface policy questioned</p> <p>* asks for position on east side management system</p>
156	Schlack	<p>Responds that the issue will most likely be addressed in the Agriculture and Natural Resource Committee. On the Columbia River Basin, East Side Ecosystem Coalition of Counties formed to see that the project reflects the values of the local communities depending on federal lands for their viability.</p>
180	Sen. Ferrioli	<p>Asks for input on federal management interface issues. In Grant County \$9 million federal impact has fallen to \$3 million this year. Impact on the counties is great. Asks AOC's role in helping interface with federal land management.</p>
200	Sen. Fisher	<p>Refers to statement that local government not supporting the land use system as it is.</p>
213	Schlack	<p>Responds that all levels of government need to tighten their belts.</p>
215	Sen. Kintigh	<p>Comments on resource land protection.</p> <p>* urban growth expanding on farm land</p>
227	Phil Fell	<p>Comments that expansion in cities necessary in some ways.</p>
240	Sen. Kintigh	<p>Asks about starting new cities.</p>
246	Sen. Kintigh	<p>Wants legislation to permit establishment of new cities.</p> <p>* describes Eugene area expansion problems</p>
250	Chair Tarno	<p>Asks for any comments from audience.</p>
		<p>Director, Oregon Coastal Management Association, comments on local</p>

268	Ono Heusing	governments problems and land use. * Agrees with Sen. Kintigh's proposal
301	Sen. Wilde	Comments on power structures * downtown areas concentrate power

343 Heusing Closes his comments

349 Chair Tarno Adjourns meeting at 10:45 a.m.

Submitted By, Reviewed By,

Nancy Masee Mark Volmert,

Administrative Support Administrator

EXHIBIT SUMMARY

A - Testimony, Oregon Lands Coalition, 4 pp, Evelyn Badger

B - Testimony, Oregon State Grange, 2 pp, Edward Luttrell

C - Testimony, Association of Oregon Counties, 14 pp, Gordon Fultz