

HOUSE COMMITTEE ON NATURAL RESOURCES ENVIRONMENT AND ENERGY SUBCOMMITTEE

May 17, 1993 Hearing Room F 1:30 p.m. Tapes 109 - 112

MEMBERS PRESENT: Rep. Bob Repine, Chair Rep. Marilyn Dell, Vice-Chair
Rep. Sam Dominy Rep. Bill Fisher Rep. Carl Hosticka Rep. Dennis Luke
Rep. Bill Markham Rep. Nancy Peterson Rep. Ray Baum

VISITING MEMBERS: Rep. Tim Josi Rep. Chuck Norris Rep. Liz VanLeeuwen

STAFF PRESENT: Kathryn Van Natta, Committee Administrator Karen
McCormac, Committee Clerk

MEASURES CONSIDERED: Work Session - HB 3661

WITNESSES: ANNE SQUIER, Governor Roberts' Senior Policy
Advisor JIM BROWN, State Forester, Department of Forestry BRUCE ANDREWS,
Director, Department of Agriculture SUE KUPILLAS, Jackson County
Commissioner RICHARD BENNER, Director, Department of Land

Conservation and Development (DLCD)

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These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in
quotation marks report a speaker's exact words. For complete contents
of the proceedings, please refer to the tapes. [--- Unable To Translate
Graphic ---]

TAPE 109, SIDE A

005 CHAIR REPINE: Calls meeting to order at 1:41 p.m.

021 ANNE SQUIER, Governor Roberts' Senior Policy Advisor: Presents
written testimony (EXHIBIT A) in opposition to HB 3661.

262 REP. NORRIS: We have heard testimony from landowners who
bought property before the zoning laws changed with the assumption that
they

could build a home on that property. Do you feel we could at least
recognize and make adjustments for those situations?

266 SQUIER: We have no data regarding the extent to which that
situation has occurred. It would be in the interest of the state
to obtain

information regarding the extent of those cases, where they are located,
and what kinds of impacts will be made on our resource lands if an
adjustment were made to meet that issue.

290 REP. VanLEEUWEN: On Page 2 of your testimony, you refer to a study done in thirteen rural counties. What were those counties?

292 SQUIER: I don't have that list with me, but we can provide that for you.

300 REP. DELL: It is extraordinarily rare for a homesite to come on the market in an exception area. Are there more exception areas in Yamhill

County than in other counties?

317 SQUIER: Defers question to DLCD.

323 REP. DELL: What do we say to counties which have pressure from their residents for secondary lands designation?

333 SQUIER: I'm not aware of a county which has done a thorough test and concluded that they have little small-scale resource land. That might

occur when they already have identified the areas which are least productive.

354 REP. DELL: Do you think our land-use regulations could or should affect Oregon's future population?

361 SQUIER: Ultimately, the question will be whether we recognize the limitations on our natural resources, such as water resources. Land use planning should help us recognize those costs up front.

391 REP. DELL: If we were hearing the LCDC three-tiered approach today and it had not yet been adopted, would you be in favor or opposed?

397 SQUIER: Governor Roberts testified before LCDC at the time those rules were being developed, and she had concerns as to whether the rules

sufficiently delineated land types. By the time the rules were adopted, she believed those rules were acceptable. We believe those rules should be given the chance to work.

TAPE 110, SIDE A

003 REP. LUKE: Black Butte Ranch, Eagle Crest, Sun River, Inn of the Seventh Mountain, Community of La Pine and Community of Terre Bonne are all exception areas in Deschutes County.

010 SQUIER: Those are examples wherein eventual costs were laid out up front. My point was that there has been opportunity for the repeal of

development within more rural areas. 016 REP. LUKE: Sixty to seventy percent of Deschutes County's EFU land will be opened up by LCDC rules.

023 SQUIER: I have not reviewed the basis for that figure. The secondary lands rules do not require that all of the land that falls out under the initial objective test be made available as secondary lands.

033 REP. FISHER: Are you assuming that the expected one million people who move to Oregon in the next twenty years will all live in cities, and

that those cities can accommodate them without problem?

040 SQUIER: There is no question that the additional population will affect cities. Oregon must design growth which will not conflict with clean

air standards, or cause the degradation of water quality, etc.

086 REP. NORRIS: Regarding your earlier response to my question, I would assume that information regarding lot of record is already available

from the Association of Oregon Counties.

088 CHAIR REPINE: On Page 2 of your testimony regarding exceptions areas, do you have data which defines 62,000 acres in Josephine County?

093 SQUIER: We can provide you with that information.

095 CHAIR REPINE: Most of that property is serpentine-type land, and some of it was zoned due to the dictates of Stan Long.

You referred to the "twenty years of SB 100" in your testimony. Haven't adjustments been made over the years to accommodate changing needs?

123 SQUIER: I was not suggesting that legislation enacted twenty years ago should necessarily be sanctified. I was trying to emphasize the choices which were made as a part of that process, and that every indication

shows that those choices are still very important to Oregonians.

137 CHAIR REPINE: Do you believe the comparison between Oregon and California is fair?

153 SQUIER: The State Forester and DLCD will address their concerns with HB 3661 regarding the impact of future population growth on land use.

178 REP. FISHER: There is development on every city's fringe areas. If we're going to protect prime farmland, why aren't we?

188 SQUIER: Our major cities remain in the Willamette Valley. We could certainly debate how tightly urban growth should be controlled.

226 CHAIR REPINE: In your testimony, you refer to 600 new rural homes each year in EFU zones, and 800 new homes each year on forestland. How does

that volume contrast with other housing statewide? 243 SQUIER: In 1992, 275 of new homes on farmland were farm dwellings, and 327 were non-farm dwellings. Page 4 of my testimony shows that 75% of

approved farm dwellings were generating less than \$10,000 in gross

income. More than one-third reported no income from farming.

281 CHAIR REPINE: Do you have similar data regarding forestland?

283 SQUIER: For 1992, about 300 were forest dwellings, and about 500 were non-forest dwellings. For 1991, about 270 were forest dwellings, and

about 433 were non-forest dwellings.

289 CHAIR REPINE: How does that contrast with all other housing in Oregon?

291 SQUIER: In 1992, about 8.6% were approved for farm and forest zones. In 1990, about 9.8% were approved for farm and forest zones.

300 REP. FISHER: About eight years ago, my family purchased 45 acres near Roseburg which had been part of a 360-acre parcel. The land had been

divided because a farmer was planning to retire since he couldn't make a living as a farmer. There is nothing a person can do with that 45 acres which would generate a \$10,000 annual income. Yet we are contributing

to its longevity as farmland simply because we enjoy living there. Why

would we want to prevent that?

325 SQUIER: Your question poses some fundamental issues. If we are going to have any kind of control over the ultimate uses of land, one cannot

at the same time say that in every circumstance, land should be sold for the highest dollar value which a developer might offer.

358 REP. FISHER: My point was that even though the land does not provide an income, there are people who are willing to retain the land as farmland.

407 SQUIER: There may be circumstances in which it would be appropriate to divide marginal lands which would make them more productive.

420 I have heard complaints regarding the complexity of the land-use system. I am well aware of those concerns and the perception that regulations

are overly-complex. We are all looking for ways to simplify those

problems. At the same time, LCDC is trying to accommodate the

differences between counties, but a balance must be struck.

TAPE 109, SIDE B

009 JIM BROWN, State Forester, Department of Forestry: Presents written testimony (EXHIBIT B) regarding concerns about HB 3661.

111 CHAIR REPINE: Requests clarification of testimony regarding forest fires.

115 BROWN: Those numbers were directly associated with homes in those areas. Pages 5 and 7 of the report show that the total number of fires

has fluctuated to around 2,000 to 5,000 fires, and the number of acres affected has been from around 6,000 to 20,000. There are now more fires and they are more expensive to battle. In the last ten years, our costs have gone from an average of \$2,000,000 to \$3,000,000 per year to \$8,000,000 to \$10,000,000 per year. Most of those fires have been in urban areas.

137 CHAIR REPINE: What are costs due to?

140 BROWN: Most of the costs are associated with tactical differences in how the fires are fought.

148 REP. BAUM: In another subcommittee, we have discussed increasing the fire insurance coverage limit for small woodland owners from \$300,000 to \$500,000. Is that correct?

157 BROWN: That is correct. That refers to the liability for non-negligent fires.

167 REP. FISHER: In that study, it also showed that fires were more likely to be caused by the public, not the small landowner. To my knowledge,

the large fire which occurred in Bend was not caused by a forestland owner, but by a tourist.

183 REP. BAUM: I received some information from your office which states that 76% of forestland in eastern Oregon is publicly owned. Of the

remaining 24%, 15% is owned by forest industry, and the rest by private landowners. In western Oregon, over half of the forestland is publicly owned. About two-thirds of the remainder is owned by the forest industry in large tracts.

226 BROWN: Our concern is in trying to keep our resource land base in production. We want development to occur on the least productive pieces of our agricultural and forest lands.

259 REP. FISHER: Companies have always tried to purchase land that can accommodate timber. They have tried to stop housing, since it

interferes with their logging practices.

278 BROWN: I agree. My point was that the market could be changed in terms of land value. Today, it is valued in its ability to produce lumber.

Parcelization and the development of dwellings changes that market value.

288 REP. BAUM: Are you concerned about dwellings relating to forest practices?

298 BROWN: We're concerned about the accountability of dwellings on forestland. How are we assured that the landowner will manage the land

for its intended purpose?

306 CHAIR REPINE: If that was included in the bill, would that lessen your discomfort?

307 BROWN: Yes.

308 REP. NORRIS: May I assume you are opposing this bill?

310 BROWN: That is correct.

311 REP. NORRIS: We continue to refer to land's capability as producing a certain number of cubic feet. Can we credibly evaluate land using those standards?

319 BROWN: Yes. We've chosen to use cubic feet because most of the soil mapping upon which we rely is done by the Soil Conservation Service,

which uses cubic feet when measuring these types of values.

349 REP. DELL: If I have 160 acres of forestland, I can manage it more efficiently if I live onsite. What impact would I have on the entire

area?

362 BROWN: If a person makes a commitment to manage land, a dwelling onsite can enhance their ability to do so. There is nothing in this bill or in our tax policies which requires that type of accountability.

A division is made in this bill between 15,000 cubic feet per parcel annually for large-scale resource land. The average parcel size for private landowners is 80 acres. There are roughly 25,000 non-industrial private landowners in this state. About 1,500 to 2,000 own 500 acres or more. About 3,000 to 4,000 own from 100 to 500 acres, but the majority own 100 acres or less.

396 REP. BAUM: How many people own 100 acres or less?

403 BROWN: Less than 10% of the total forestland base.

414 CHAIR REPINE: What standards have you seen which have actually been mapped which led to your interpretation of the LCDC rules and of HB

3661?

420 BROWN: We were involved with LCDC's mapping of secondary lands, and did testing in Lane, Jackson and Clackamas counties. We have used that

testing to interpret both LCDC's adopted rules and HB 3661.

TAPE 110, SIDE B

002 CHAIR REPINE: Except for one exception, I am not aware of any county which has undergone that long, arduous process of the test parameters

which are in the LCDC rule changes.

010 BROWN: You are correct. We looked at several tests which were samples and hypotheses of measurements.

019 BRUCE ANDREWS, Director, Department of Agriculture: Presents written testimony (EXHIBIT C).

135 REP. BAUM: What do you think of the existing LCDC rules?

145 ANDREWS: We want agricultural lands to remain so, and minimize the conflict between secondary lands and prime agricultural lands.

157 REP. BAUM: Existing LCDC rules require that we designate high-value farmlands. Are you aware of any mapping which has been done using the

LCDC rules or HB 3661?

163 ANDREWS: Defers question to DLCD. 166 REP. PETERSON: Are there more people wanting to farm larger tracts of land?

172 ANDREWS: Oregon's agriculture is very diverse. We're seeing two types of farming in Oregon, which is different from the national standard.

The middle-sized farmer is disappearing, whereas the number of large and small farms are growing.

193 REP. PETERSON: Are we specializing?

199 ANDREWS: There are 200 different commodities produced in Oregon. Farmers are definitely farming smarter to become more competitive.

211 REP. LUKE: In eastern Oregon, the problem with expanding farmland is the difficulty in finding irrigation water.

220 ANDREWS: We're not expanding the number of farming acres; we're farming less acreage. We're very aware that increased population in some of our agricultural areas competes for water necessary for crops.

230 CHAIR REPINE: Do you think the decline in the number of acres farmed will continue?

233 ANDREWS: With each development, we decrease acreage.

235 CHAIR REPINE: Is it true that larger farms require fewer dwellings?

350 ANDREWS: It depends on the area of the state in which that occurs. In eastern Oregon, you don't get that type of breakdown. In an area like

Clackamas County, we're seeing a lot of intense agricultural development, such as 100 acres now being used for a nursery instead of for hundreds of acres for a grass seed farm.

269 CHAIR REPINE: How do dwellings built on farmland affect the agricultural industry?

273 ANDREWS: We have seen a lack of understanding regarding the agricultural process. When people move to a rural area and begin to

experience dust, chemical spray, noise, or odor, that can cause ill feelings between farmers and non-farmers.

294 REP. DELL: Requests comparison between the process in HB 3661 versus LCDC rules.

317 ANDREWS: Our concern is how to develop land and still have a minimal impact on prime agricultural land. Soil does not represent a total

picture, i.e., less productive soils are ideal for wine grapes. Growth indicators are more of a determinate.

350 CHAIR REPINE: What's your view regarding "lot of records" within EFU zones?

353 ANDREWS: I don't know enough about that to have an opinion.

357 CHAIR REPINE: This bill would not allow a golf course to be located near a farm. How do you feel about complications from golf courses? 377 ANDREWS: The development which accompanies a golf course is the conflict.

413 CHAIR REPINE: Would you rather have a golf course or a dwelling on farmland?

414 ANDREWS: We don't want either of them. We want the land and water to go to agriculture.

447 REP. BAUM: How much land is in the Conservation Reserve Program?

TAPE 111, SIDE A

003 ANDREWS: About 450,000 acres, which is highly erodable land.

010 REP. BAUM: Since we've mapped out the effects of HB 3661 and the LCDC rules, we're discovering an interesting development occurs. About half

of the 20 to 40-acre parcels already have dwellings on them.

025 ANDREWS: That is correct.

033 REP. BAUM: A test was conducted before and after blocking using HB 3661, and the amount of secondary lands increased after blocking. The

purpose of blocking is supposed to contain secondary lands to blocks of 160 acres.

047 ANDREWS: Perhaps we could meet after this hearing to discuss the results of the test.

058 CHAIR REPINE: Will you be proposing any amendments to this bill?

059 ANDREWS: Not at this point.

063 REP. FISHER: You mentioned the highly erodable lands in eastern Oregon. Don't those overlap with other types of land, and isn't it relatively

easy to have land classified as "highly erodable" in that part of the state?

073 ANDREWS: The USDA and the Soil Conservation Service delineated "highly erodable" as due to rainfall, steepness, or wind erosion, etc. Many

fields were designated highly erodable because 30% of an area met one or more of those criteria, which blocked out the rest of that parcel.

091 SUE KUPILLAS: Jackson County Commissioner: Presents written testimony (EXHIBIT D) in support of HB 3661.

Recently our planning director was at a conference in Chicago, and learned of a study regarding the cost of rural development versus high density development. Research showed that rural development costs less to society than high-density development.

283 REP. PETERSON: There's a real conflict between those who want more control and those who want less. The Jackson County Citizen's League

(JCCL) recently questioned that. Requests comment from witness about the JCCL issue and Section 75 of HB 3661, which addresses the Clark v.

Jackson County land-use case. 296 KUPILLAS: In the Jackson County Citizen's League issue, 22 patterns and practices were challenged. Eleven were upheld in the county's favor,

and the judge chose to interpret differently a number of the patterns and practices we were found guilty of violating. We had already corrected most of these problems through the periodic review process.

In Clark v. Jackson County, aggregate resources were allowed as a conditional use in EFU land. There was a question as to whether a rocky knoll owned by a landowner was unsuitable for agriculture, even though the rest of the land was zoned EFU. The Supreme Court concurred that the owner could declare that land generally unsuitable for agriculture.

351 REP. PETERSON: From my perspective, one of the advantages of the present land-use system is that LCDC is more objective than local

government. I know the public pressures local elected officials have.

Isn't there an advantage in having an outside group, such as LCDC, in determining land-use decisions?

363 KUPILLAS: That's a valid argument. However, after sitting through the LCDC hearings on their land-use rule changes, I noticed 1000 Friends

attended every meeting. We should be responding to the citizens who actually live in our community.

403 REP. PETERSON: Can you explain why there has been incorrect zoning?

409 KUPILLAS: I've heard that the zoning did not meet the minimum number of acres required by the state, and they had to increase the amount of EFU land, whether or not it was EFU land. There was also a tax advantage

for people who wanted their land zoned EFU.

TAPE 112, SIDE A

007 REP. MARKHAM: Requests copy of study from Chicago.

015 REP. LUKE: The current commissioner of Deschutes County tells me that they like the secondary lands proposal from LCDC because it allows them to say no more easily. They are afraid of the pressures which may be

placed on them by people with legitimate concerns. Do you feel that local elected officials should have more control without the influence of LCDC?

028 KUPILLAS: I think local elected officials can handle the

pressure, and should have the authority to make those decisions.

043 REP. VanLEUWEN: Under the new LCDC rules, if something happens to my house, I could not replace it.

049 KUPILLAS: If it burns down, you can replace it. Otherwise, you would need to go through the new approval process, and there's a chance of

being denied.

063 CHAIR REPINE: What are the counties' costs to map?

069 KUPILLAS: There was well over \$100,000 available from grants. That does not entirely cover the costs for adoption of the new rules. By the time we get to identifying small-scale farmland, it will be after June

1994, and we don't know if we'll have funding after that date.

096 CHAIR REPINE: Calls for a recess at 4:08 p.m., to reconvene at 4:20 p.m.

Reconvenes meeting at 4:25 p.m.

114 RICHARD BENNER, Director, Department of Land Conservation and Development (DLCD): Reviews aerial photographs of the Bellfountain area in Benton County. On the eastern side, there the main crop is grass

seed. Further west, Christmas trees are grown in terraced terrain.

Along the narrow valley bottoms, grass seed and livestock are raised.

In the eastern portion, there are better farm soils, but not as good as those in the bottomlands along the river. Continues explanation of photographs.

321 Mapping involves interpretation, and it takes a great deal of time. We did not treat tracts as separate because of "public access" referred to in HB 3661 because we don't know what that means. Also, there is a

provision in Section 3(3) of HB 3661 regarding the "inclusion of 80 acres or more which is more productive or less productive, can be treated separately from balance of that tract." We don't know how that would work.

363 There are not many exceptions areas on this map. Perhaps during the hearings process, landowners may not have wanted their land to be zoned exceptions areas. Small pockets of parcels could have been classified

as exceptions areas if the county had wanted that.

388 Benton County chose two indicators for the eastern portion, which is largely zoned EFU. They chose grass seed, and chose Christmas

trees for the terraced area. The county worked with Oregon State University to

determine how much money could be made on an acre of grass seed ground and divided the \$100,000 threshold and the \$50,000 by that amount. In order for grass seed land to be large-scale primary land, a minimum of 250 acres would be needed. To be zoned small-scale, more than 125 acres would be needed.

For large-scale primary land with a Christmas tree crop, a minimum of 70 acres would be needed, whereas for small-scale primary, about 35 acres would be required.

TAPE 111, SIDE B

042 There is a provision in HB 3661 which states that if a block of large-scale primary land is less than 640 acres and is surrounded by an urban growth boundary, an exception area or small-scale primary land, it must be zoned small-scale. We found in Benton County that the few

blocks which satisfied this test failed because they fall below 640 acres.

063 With HB 3661, small-scale primary resource land could be zoned secondary over time if there are conveyances.

080 We tried to determine how many new parcels could be created in secondary lands. (Points to areas on map which could be broken into 20 and

40-acre parcels.) In forest zones, there is an 80-acre minimum lot size in Benton County. 112 CHAIR REPINE: Your statement regarding the division of lots into 20-acre parcels does not reflect the ability to site dwellings,

including septic requirements, etc.

115 BENNER: That is true.

130 REP. HOSTICKA: Some of these exceptions areas had a large number of buildable sites which have not yet been built upon. Can we determine

how many would be available for new housing?

134 BENNER: I don't know whether the Benton County database shows where dwellings are located. I can find out from the county.

144 REP. HOSTICKA: I'm interested in knowing whether there are already building opportunities which have not yet been taken advantage of.

148 BENNER: Tillamook County has the highest-valued land per acre in Oregon. With HB 3661, you end up with very small parcels when

trying to determine what the minimum lot size should be, because a person can earn about \$6,000 per acre annually.

210 REP. LUKE: We've heard testimony from Deschutes County that local officials should not be given the responsibility this bill gives them

due to political pressure. Is that your opinion as well?

213 BENNER: That's a touchy question, since nobody's judgment or integrity should be questioned. The pressures placed on city and county

commissioners are very intense, and sometimes it helps to have a state law backing them up.

Before 1975, almost all of Clackamas County was broken up into one and five-acre parcels. If state law had not required rezoning to protect the farmland, the rezoning would not have occurred. There will be even more pressure with the additional population expected in the next 20 years.

260 REP. BAUM: I recently saw a map of Clackamas County, and almost all the 20-acre parcels had dwellings on them.

291 BENNER: Several years ago, Clackamas County converted to more intensive agriculture. I doubt whether the grass seed area in Benton County could be productive if broken into 20-acre parcels.

353 REP. DELL: Do the LCDC rules make for better planning than HB 3661?

370 BENNER: The processes are very similar. HB 3661 attempts to choose clear and objective criteria to identify various types of land. Our

rules also attempted to do that at the outset, with some success for forestland. The procedures are very similar, except for the thresholds in Section 3(3), which authorizes counties to leave already-established standards.

TAPE 112, SIDE B

003 REP. DELL: What would happen if we reversed the Smith decision?

009 BENNER: We have a bill on the senate side (SB 130) which would reverse the Smith decision in eastern Oregon. In eastern Oregon, the incidence

of dwellings is significantly lower than in western Oregon.

023 REP. DELL: What if we allowed people to replace their existing homes on farm or forestland?

026 BENNER: I think Commissioner Kupillas said that the LCDC rules prohibit replacement dwellings unless there is a fire. In fact, since 1975 our

rules have been bound by what has been authorized by the EFU statute, which only authorizes replacement dwellings under circumscribed circumstances. Right now, ORS 215.130 authorizes a replacement only if there is a "casualty."

050 REP. DELL: Discuss the current appeals process.

052 BENNER: Currently, statute authorizes us to file appeals of land-use decisions, ranging from plan amendments to individual land-use

decisions. We usually have 15 appeals per year. However, in 1992, there were 24 appeals, ten of which were plan amendments. Fourteen of those appeals were regarding individual permits.

068 We use our authority sparingly when our reviews show that something significant is going on. There is usually a visit by a field rep, a

follow-up, some technical assistance, etc., which work to improve the decision-making process.

083 CHAIR REPINE: Compare the "lot of record" to HB 3661.

084 BENNER: Almost all parcels, existing or new, would be eligible for a dwelling, but this is not a lot of record law due to other requirements. Concerned that many tracts which do not currently have dwellings could

easily obtain dwellings under HB 3661.

117 CHAIR REPINE: A planner from Clackamas County has told this committee that a lot of record law would resolve many problems for the counties.

120 BENNER: A lot of record would not create a lot of new parcels. If it was possible to fashion a lot of record law which addresses the concerns of affected parties without breaking up the contiguous pieces of

commercial farms, I would recommend that you do so. The hard part is how to identify those people who purchased 16 acres in 1973 with their life savings.

161 REP. HOSTICKA: What is the status of the newly-adopted LCDC rules?

164 BENNER: The rules were adopted in December 1992, and the commission deliberately made them effective for a future date, knowing that the

legislature may substitute changes. The first effective date is August 1993; the next pertinent date is in 1994, which only affects forestland. It is not until 1995 that the counties which are required to identify high-value farmland will need to do so. To date, we have contracted with about eight counties to map our rules in pilot areas. 183 REP. HOSTICKA: If legislation substantially changed these rules, what would happen? 189 BENNER: This bill directs the commission to revise its rules. We would probably have to revise our rules.

195 REP. DELL: How do you respond to Jackson County commissioners who say they can't make LCDC rules work in their county?

198 BENNER: I believe representatives from Douglas County said that. They stated in a letter that they only found one and one-half acres which

qualified as secondary land. After we sent someone down to work with the county, they found about 1,300 acres. They are complicated rules.

Jackson County did not take exceptions where they could have, and this is probably a cause of controversy. Secondly, a lot of the land which we think should qualify as small-scale resource land does not, because the county put it in a forest zone rather than a farm zone. It ought to be considered secondary or small-scale resource land.

266 REP. BAUM: Have you had a chance to map the high-value farmland?

273 BENNER: Lane County has completed their mapping. We should have results in a couple of weeks from eight other counties.

285 Douglas County assumed that anything that qualified as high-value farmland, that is, Class I, Class II, prime, unique, and if in an EFU

zone, designated as high-value farmland. That's not the way the rules are written. If you've got prime, unique Class I or Class farmland, but it is not in commercial agriculture, it can be zoned small-scale resource land.

304 VAN NATTA: We have been receiving a lot of faxes, which I will read into the record: a letter dated May 17 from Don Brown (EXHIBIT E), a

letter from Willamette West Real Estate dated May 17 (EXHIBIT F), a

letter from the Frederic Family dated May 15 (EXHIBIT G), a letter dated May 17 from Century 21 Real Estate (EXHIBIT H), a letter dated May 13 from Michael and Sally Noack (EXHIBIT I), a letter dated May 16 from Curry County Realty (EXHIBIT J), a letter dated May 15 from Jacobson Realty (EXHIBIT K), a letter dated May 16 from Bud Hinman (EXHIBIT L), an undated letter from Yvonne Down, Gary Long, Rex Atwell and Linda Spicer (EXHIBIT M), a letter dated May 16 from Paul Tuttle (EXHIBIT N), a letter dated May 15 from Anne Dalton (EXHIBIT O), a letter dated May 11 from the American Association of University Women (EXHIBIT P), a letter dated May 17 from the Deschutes County Farm Bureau (EXHIBIT Q), a letter dated May 17 from MBA Properties (EXHIBIT R), an undated letter from Tom Phillips, et. al (EXHIBIT S), an undated letter from Helen Gordon (EXHIBIT T), and a memo from the Northwest Coalition for Alternatives and Pesticides dated May 14 which suggests some amendments (EXHIBIT U).

397 REP. DELL: I want to clarify that the letter from Willamette West Real Estate is not my business, although they do have the same name.

402 REP. LUKE: I have just been informed that representatives from Deschutes County will be in my office tomorrow with their maps.

Committee members are invited to attend.

406 CHAIR REPINE: CLOSES WORK SESSION ON HB 3661.

Adjourns meeting at 5:40 p.m.

Submitted by:

Reviewed by:

Karen McCormac
Administrator

Kathryn Van Natta Assistant

EXHIBIT LOG:

A - HB 3661 Testimony - Anne Squier - 5 pages B - HB 3661
Testimony - Jim Brown - 24 pages C - HB 3661 Testimony - Bruce
Andrews - 10 pages D - HB 3661 Testimony - Sue Kupillas - 2 pages E
- HB 3661 Testimony - Don Brown - 2 pages F - HB 3661
Testimony - Willamette West Real Estate - 1 page G - HB 3661
Testimony - Frederic Family - 1 page H - HB 3661 Testimony -
Century 21 Real Estate - 1 page I - HB 3661 Testimony - Michael and
Sally Noack - 1 page J - HB 3661 Testimony - Curry County Realty -
1 page K - HB 3661 Testimony - Jacobson Realty - 1 page L - HB
3661 Testimony - Bud Hinman - 1 page M - HB 3661 Testimony - Yvonne

Down - 1 page N - HB 3661 Testimony - Paul Tuttle - 1 page O -
HB 3661 Testimony - Anne Dalton - 1 page P - HB 3661 Testimony -
American Association of University Women - 2 pages Q - HB 3661
Testimony - Deschutes County Farm Bureau - 1 page R - HB 3661
Testimony - MBA Properties - 1 page S - HB 3661 Testimony - Tom
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