



February 10, 2026

Oregon State Legislature  
House Committee on Housing and Homelessness  
Oregon State Capitol  
900 Court Street NE, Room H-178  
Salem, Oregon 97301

**Re: HB 4113 – Proposed Amendments to House Bill 4113**

Chair Marsh, Vice-Chairs Breese Iverson and Anderson, and Committee members,

I appreciate the opportunity to provide comments regarding HB 4113 on behalf of Friends of the Metolius (FOM). FOM is a conservation organization with a stewardship area primarily in the Metolius Basin. The organization has been active for nearly 40 years and was very involved in 2009 when the Metolius area of critical concern (ACSC) and the accompanying transfer of development opportunity (HB 2228 – the TDO) were created.

Having received a copy of the proposed amendments to HB 4113 only yesterday afternoon (February 9), FOM does not support the bill unless it is amended to require that fee title ownership of the Metolius Resort Site is to be transferred in perpetuity to a qualified land trust or some other competent land management entity so that the land can be appropriately and constructively managed. Granting a conservation easement should not be an option. As currently drafted the bill does nothing to alter what the owner of the Metolius Resort Site was granted under HB 2228 (2009) (other than substituting the conservation-offset housing opportunity for 2 small scale recreation resorts). Said another way, in the present iteration of the bill there is no “conservation-offset” and the owner of the Metolius Resort Site has given up nothing it did not have under HB 2228 in exchange for dramatic rewards in the form of housing development opportunities.

There are two components of the bill that are of primary importance to FOM. First, conservation of the land in the Metolius Basin that is referred to as the Metolius Resort Site. Second, the impact of the legislation on Oregon’s land use system.

**Conservation of the Metolius Resort Site**

Meaningful conservation of the site would have significant value to the Metolius Basin. By “meaningful conservation” I mean management and restoration of the land in such a manner to promote a healthy forest ecosystem. Under the ACSC management plan development of the land is very limited – 2 forest homesites could be built on over 600 acres. But there is no conservation

mandate and engaged management of the land – using prescribed fire, thinning, and other on-the-ground-work to make the subject forest healthy.

As an example of why this is important, the Metolius Resort Site is over one square mile of forest land on the eastern slopes of the Cascade crest just a short distance south and west of the community of Camp Sherman. Historically, wildfires tend to move in a northeasterly direction. Meaningful conservation of the Metolius Resort Site would contribute to mitigating wildfire risk for Camp Sherman and the Metolius Basin.

The bill should require that the owner of the Metolius Resort Site transfer site to a qualified land trust or other qualified land management entity so that the land is conserved properly for perpetuity. A conservation easement pursuant to ORS 271.715 to 795 would neither ensure conservation in perpetuity nor ensure the engaged land management that would be provided by a land trust organization.

### **Impact on Oregon's Land Use System**

Maintaining the strength and integrity of Oregon's land use system is critically important for the protection of farmland, forest and ranchland and wildlife habitat from incursion. We anticipate that there may be ways to amend the proposed legislation to accomplish these goals to ensure that the TDO does not negatively impact Oregon's established land use laws. But the current amendment does not do this.

For the foregoing reasons, Friends of the Metolius opposes HB 4113.

FOM strongly believes that the benefits to the Metolius Basin derived from transferring the property to a qualified land trust are substantial. With that kind of amendment and appropriate amendments to the housing elements so as to not run afoul of Oregon's land use laws, it is possible that FOM could change its position.

We appreciate your consideration.

Respectfully Submitted,

*Douglas Hancock*

President of the Board of Directors