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June 21, 2023

Rep. Julie Fahey, Chair, and Committee Members
House Committee on Rules
State Capitol
Salem, OR

Re: SB 70 A – Houses on Eastern Oregon Farm Land

Dear Chair Fahey and Committee Members:

Thank you for the opportunity to provide testimony on SB 70A, which 1000 Friends of Oregon opposes. 1000 Friends of Oregon is a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities; protect family farms, forests and natural areas; and provide transportation and housing choice.

In the 2021 session, the legislature passed SB 16, allowing 200 acres of exclusive farm use (EFU) land in the Eastern Oregon Border Region, located in Malheur County, to be rezoned to allow up to 100 homes on 2-acre lots, within certain parameters. Among the parameters was that these houses would *not* be allowed on “high value” farmland, which is defined in statute. (ORS 195.300) At the time, the Executive Director of the Eastern Oregon Border Economic Development Board stated that SB 16 “Allows rezoning of **limited, nonviable** land within Eastern Oregon Border Economic Development Region from exclusive farm use to residential use.” (Emphasis added)¹

Less than two years after SB 16 took effect, the sponsors are back with another bill, seeking changes that would open up even more EFU lands to housing. Senate Bill 70A expands the farm land available to be rezoned to residential use for the 100 homes allowed by SB 16 (2021). Senate Bill 70A carves out a significant portion of the land defined as “high value,” thereby making those lands available for the SB 16 housing. So, the lands that are now newly made available for housing include land in irrigation districts (ORS 195.300(10)(c)(B)) and land in the Snake River Valley AVA (viticulture area). (ORS 195.300(10)(f)(E)).

The officially designated Snake River Valley American Viticultural Area (AVA) region spans from eastern Oregon into Idaho, including around Ontario. According to Oregon Wine: “[T]he Snake River Valley offers ideal growing conditions.”

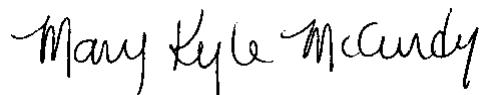
¹ See written testimony of Shawna Peterson, Executive Director - Eastern Oregon Border Economic Development Board, <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/PublicTestimonyDocument/2668> Feb. 9, 2021

Most farm land in Oregon is not high value, and of the land that is, most is in western Oregon. So these high value soils in Malheur County grow a variety of high value crops, helping to make the county an agricultural standout. Malheur County ranks #5 among Oregon's counties in agricultural production, bringing in approximately \$350,000,000 each year. Three of Malheur County's top farm crops are on Oregon's top 10 list of agriculture commodities. Malheur County products include cattle, onions, hay, dry bean, mint, potatoes, and sugar beets. This high value farm land is *not* "limited, nonviable land."

Ontario needs housing for those of moderate and lower incomes, and we have supported initiatives for that, plus Ontario has made a large expansion to its UGB in recent years and it has a large urban reserve. However, the acreage home sites in SB 70A, where there is not currently infrastructure and are not close to the schools, stores, and other things folks need to regularly access, are unlikely to meet that need.

We urge this Committee to not pass SB 70A; it is not consistent with the stated purpose of SB 16 that the houses would be on "limited, nonviable" farmland. Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink that reads "Mary Kyle McCurdy". The signature is fluid and cursive, with "Mary" and "Kyle" connected at the top, and "McCurdy" written below them.

Mary Kyle McCurdy
Deputy Director