



## Eugene Water & Electric Board

500 East 4th Avenue/Post Office Box 10148  
Eugene, Oregon 97440-2148  
541-685-7000  
www.eweb.org

February 25, 2019

Dear Chair Dembrow, Vice-Chair Olsen, and Members of the Committee:

The Eugene Water & Electric Board (EWEB) appreciates the opportunity to submit testimony in support of SB 408 and the -1 amendment. This bill will provide utilities with more options around land ownership within the Exclusive Farm Use zone.

Senate Bill 408 will help utility providers reduce their footprints on farm land by allowing the creation of parcels based on the amount of land actually needed for a utility facility, rather than based on the larger minimum lot sizes associated with the Exclusive Farm Use zone. Because of these large minimum lot sizes, properties in the Exclusive Farm Use zone are often larger than what would otherwise be needed for a utility facility.

This bill will also provide an alternative to property line adjustments, which are increasingly difficult to get approved due to evolving case law. Typically, a property line adjustment could be a means of reducing excess property or slightly enlarging a property to accommodate a facility's expansion. However, property line adjustments can be complex, technical and contested. The proposed change in statute would provide an alternative to property line adjustments by enabling a utility and an adjacent property owner to reconfigure two properties through a land division process.

EWEB currently has properties which would benefit from this legislation. In one instance, EWEB identified the need for a future substation in a particular location that is within the Exclusive Farm Use zone. EWEB acquired a property that met the locational requirements for the future substation. However, the property is 63 acres in size, far larger than what is necessary for a substation. The Exclusive Farm Use zoning in the area carries with it a minimum size of 40 acres for new parcels, which prevents the property from being divided into smaller parcels. This circumstance forces EWEB into holding a much larger parcel than is desirable or necessary. This bill would give EWEB the ability to create a small parcel for the future substation and to sell the larger parcel for farming purposes, free from encumbrances.

EWEB urges your support of SB 408 as amended. It provides much-needed options when utility facilities have to be located on farm land. Thank you for the opportunity to submit this testimony.

Jason Heuser  
Public Policy and Government Relations Manager  
Eugene Water & Electric Board (EWEB)