



# Oregon

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*Celebrating 75 years!*  
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EXHIBIT: B  
LAND CONSERVATION & DEVELOPMENT  
COMMISSION  
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SUBMITTED BY: Jim Johnson, DOB A

Land Conservation and Development Commission  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301



Dear Commissioners:

Thank you for the opportunity to participate as a member of the Rule Advisory Committee charged with developing a set of draft rules for Urban and Rural Reserves in the Portland Metropolitan Area. The Department of Agriculture has been very active not only in the rule making process but in most if not all aspects and phases that lead to the development of the proposed rule.

We are encouraged by the recognition of the role and importance of agriculture in future land use decisions involving urban growth in the metro region. This is especially vital given the significance of these lands to the agricultural economy and trends in agriculture relating to the production of local foods and bio-fuels. Four of the top six counties in terms of the value of agricultural production are located in the northern Willamette Valley within the sphere of metro region urban growth. These include: #1 Marion County, #2 Clackamas County, #3 Washington County and #6 Yamhill County. Agriculture is also important in Multnomah County, the states largest county in terms of population and smallest in terms of land area. It ranks 14<sup>th</sup> out of 36 Oregon counties in the value of agricultural production and first in terms of food processing.

Changes made to the proposed rule as indicated in the January 8, 2008 draft address the major issue the department has had and expressed to the commission at your last meeting. The amendments found in OAR 660-027-0040(11) emphasize the importance of Foundation Agricultural Lands to the region and the need for greater scrutiny under the rules before such lands may be designated as urban reserve.

(11) Because the January 2007 Oregon Department of Agriculture report entitled "*Identification and Assessment of the Long-Term Commercial Viability of Metro Region Agricultural Lands*" indicates that Foundation Agricultural Land is the most important land for the viability and vitality of the agricultural industry, if Metro designates such land as urban reserves, the findings and statement of reasons shall explain, by reference to the factors in OAR 660-027-0050 and 660-026-0060(2) why Metro chose the Foundation Agricultural Land for designation as urban reserves rather than other land considered under this rule.

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We strongly support the addition of this section to the rules. It makes it clear that urban reserve decisions involving Foundation Agricultural Lands require serious consideration and analysis of alternatives to the identification of said lands before they can be justified as urban reserve areas. The elevation of Foundation Agricultural Lands to this level of scrutiny in our view keeps this rule true to the original value embodied in current statute that prioritizes lands to be urbanized on the basis of its value as agricultural land. As is provided for in current statute, this does not take away the ability to develop "great communities." If suitable land is determined to not be available, agricultural land may then be designated for future urbanization.

Comments provided to the commission by the City of Portland in a letter dated January 10, 2008 address several items. Without getting into all the details, as they are very well discussed in said letter, we would add that we agree with the comments related to the need for Metro and the counties to achieve the objective stated in the rule. Any clarification to the rules that would insure this goal should be given serious consideration and we would recommend inclusion of those proposed by the City of Portland in the rule. Finally, we too are curious as to the appearance of the word "simultaneously" between the words "not" and "designate" in the amended Division 21. Unless we are convinced otherwise, we support leaving "simultaneously" out of the rule as agreed upon by the work group.

Thank you for the opportunity to provide these comments.

Sincerely,



Katy Coba  
Director

Cc: Jim Johnson