

October 24, 2016

MEMO

TO: Oregon Agricultural Heritage Program (OAHP) Interested Persons

FROM: Debra Nudelman and Annie Kilburg, Kearns & West

SUBJECT: October 24 Oregon Agricultural Heritage Program (OAHP) Hillsboro Listening Session

The third Oregon Agricultural Heritage Program (OAHP) Work Group listening session was held on Monday, October 24 from 6:00 – 8:00 pm at the Jackson Bottom Wetlands Building in Hillsboro. Below please find a high level rough draft of the notes from the listening session. Note that this document does not represent a comprehensive summary of the dialogue.

Participants were provided an overview of the OAHP Work Group and their ideas for a new statewide program that focuses on funding:

- Working land conservation easements and covenants;
- Conservation Management Plans;
- Support for agricultural land succession planning; and
- A study of tax issues impacting agricultural land.

Facilitated Question/Answer and Group Discussion

The following are highlights of the questions raised and comments made at the October 24 listening session by attendees on the new statewide program topics.

- Clarify what a working lands conservation is; does it have to be a working land?
- Since this program will lower the value of land, would the tax study help to address that issue?
- When you are considering growing the urban growth boundaries, easements could easily be 80-100 acres of farm surrounded by urban development
- Is it possible for the landowner to then approach the SWCD to allow for uses outside of the easement (e.g., recreation use)?
- Be strategic about where the program goes; there is a need to consider the risk against where the easements get placed
- How are agricultural lands defined?
- How will the conservation easements/programs coordinate with a transfer of development rights?
- How does this program coordinate with the sale of private land?
- Is this program regulatory and/or voluntary?
- There is a need for a larger discussion at higher levels

- As populations grow, we are going to need these incredibly productive farmlands; how do we preserve them?
- Globally, how are we going to feed ourselves?
- There is a need to identify where the farmers/ranchers are who would want this program and then focus the efforts of this program in those places
- What are the criteria for this program?
- Determine what land is farmable and what is not
- Will the funding be available to existing land trusts?
- When thinking about a permanent easement versus a termed covenant, after the term is up – will there be incentives to turn it into a permanent easement?
- Will easements be available to small-to-medium properties?
- Is the appraisal rate considered when ranking a property?
- Do conservation management plans (CMPs) come with or without the easement; if it comes without, is it considered as part of the valuation?
- What are the details of the CMPs, how are they created, and how are they updated?

Participants were asked for clarifying questions on the above topics and for attendees to consider the list of questions provided as follows:

- What excites you about each of these topics as part of the OAHP proposal?
- What potential issues do you foresee with this part of the OAHP proposal?
- What questions, comments, suggestions, or feedback still need to be addressed in the development of this part of the OAHP?

The following are highlights of the questions raised and comments made at the October 13 listening session by attendees in response to these specific topics and questions.

Working Land Conservation Easements and Covenants and Conservation Management Plans Specific Questions and Comments

- There is a need from the farming community for a program such as this
- When it comes to rural landowners/farmers, there is a concern about passing their land on to their next generation
- As an organization, we are sometimes able to use our funding to purchase land; however, our resources are limited; programs like this are able to fill these gaps
- The funding from NRCS has not been able to be used
- A lot of other states have these types of programs
 - Oregon has not engaged in this type of program and it has caused issues
- This program creates a tool for landowners/farmers to use
- As landowners, this kind of assistance will be incredibly helpful
- This program is a great compliment to DLCD programs
- There is a concern that if this program takes off, it could have detrimental effects on urban planning (e.g., where urban development will occur)
- This program needs to be a part of the larger conversation of where urban growth is going
- There is a concern that this program does not come back to the farmers/landowners; we do not want the state infringing on private property rights
- CMPs are an exciting concept; the idea that they are flexible and adaptable is very appealing

Support for Agricultural Land Succession Planning Specific Questions and Comments

- There is a need for more information on Ties to the Land and how it applies to farming/ranching, instead of forestry
- How much of the program's effort will focus on the succession process?
- Is the succession planning funding providing unbiased guidance and legal support for farmers?
- Will succession planning be a required part of the program?

A Study of Tax Issues Impacting Agricultural Lands Specific Questions and Comments

- This piece could help finance the program
- How do you incentivize improved farming practices?
- Consider the inheritance tax issue

In Attendance at the October 24, 2016 Hillsboro Listening Session

| Name | Organization |
|-----------------|--------------------------------|
| Rob Hallyburton | DLCD |
| Ruby Buchhouz | Tualatin River Keepers |
| Jerry Ward | OACD & Tualatin SWCD |
| Nicole Ruggiero | Ash Creek Forest Management |
| Hilary Foote | Tillamook County |
| Dan Moellek | Metro |
| Fawn Hosey | Helvetia Community Association |
| Mark Callahan | Callahan for U.S. Senate |
| Ryan Ruggerio | Metro |
| Mike Running | COLT |
| Nellie McAdams | OACD |

| Listening Session Locations | Date/Time |
|-----------------------------|-----------------------------------|
| Salem | October 13, 5:00 – 7:0 pm |
| La Grande | October 17, 5:00 – 7:00 pm |
| Hillsboro | October 24, 6:00 – 8:00 pm |
| Central Point | October 26, 6:00 – 8:00 pm |
| John Day | November 1, 5:00 – 7:00 pm |
| Prineville | November 2, 5:00 – 7:00 pm |
| Portland | November 4, 10:00 am – 12:00 noon |

Listening Session Documents

- Proposed Agenda
- Key Contacts for OAHP Work Group
- Legislative Concept Summary
- Comments Template
- Listening Session Schedule

The above documents were provided to participants at the Fall 2016 Listening Sessions.

This memo respectfully submitted by Kearns & West.