

Oregon State Board of Agriculture: Resolution Detail

Title

Working Lands Conservation Easements

Background

Whereas, agricultural land is a finite natural resource that is threatened in Oregon by increasing urban expansion and by the cumulative conversion by nonfarm land uses.

Whereas, Oregon's Statewide Planning Program has provided substantial protection to agricultural lands from development since its establishment in 1973 yet according to Oregon Department of Forestry data, between 1984 and 2009, approximately 147,000 acres of farm and rangeland was converted to nonfarm development. Continued threats to the conversion of agricultural land include expansion of urban growth areas and the cumulative impacts to agricultural lands from nonfarm uses authorized by exclusive farm use zoning.

Whereas, there is increasing interest from farmers, ranchers, land trusts and soil and water conservation districts in the use of working lands easements to *compliment* the statewide planning program to protect working agricultural lands from conversion.

Whereas, there is increasing concern about the succession of farmland to the next generation of farmers and ranchers and working lands easements can provide a tool that can help facilitate effective land succession.

Whereas, the use of working lands easements is voluntary, keeps land in private ownership and on the tax rolls.

Whereas, working lands easements can provide landowners with various financial incentives such as federal and state tax deductions, estate tax benefits and purchase of easement values.

Whereas, the U.S. Department of Agriculture has established a working lands easement program known as the Agricultural Conservation Easement Program (ACEP) that provides funding to states for acquisition for working lands easements. The ACEP program requires matching funds from a local source.

Whereas, there still is concern expressed by many farmers and ranchers as to who would be the best holder of an easement involving working agricultural lands. Entities with a history of working with farmers and ranchers to maintain viable agricultural operations are preferable in many cases. This has lead several soil and water conservation districts to become active in promoting the use of easements either by the district itself or by another agency or nonprofit organization with funding support from the subject district. There is increasing interest in examining the ability of the Department of Agriculture to become an active player in the attainment and holding of agricultural lands easements.

Whereas, the Oregon Legislature is considering legislation that would establish a task force that would study and evaluate, amongst other things, potential tools for state government to help private landowners maintain land as active working farms or forests.

Resolution

Be it resolved that the Oregon State Board of Agriculture:

1. Recognizes that the protection and conservation of active agricultural operations and the land base and associated infrastructure needed to support them is a benefit to Oregon's social, ecological and economic health.
2. Supports a focused use of conservation easements that protect working agricultural lands and complement the Oregon Statewide Planning Program. Easements should protect lands that afford the following assets:

Resolution Number

315

Subject

Land Use

Resolution Date

4/30/15

Date of Last Review

2/17/17

Committee

Land Use

Moved by

Laura Masterson

Seconded by

Tracey Liskey

Action

Motion Carried

Status

- Active
- Inactive
- Revise

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- a) Are or may become highly productive agricultural lands.
 - b) Are significant to a region's agricultural industry
 - c) Have the ability to conduct long-term viable commercial agricultural operations.
 - d) Are under threat of conversion from agricultural use by urban and/or other nonfarm development.
 - e) As a complement to primary protection of working agricultural lands, help facilitate the protection of other natural resources such as water quality, fish and wildlife habitat and other natural areas.
3. Encourages state government, including the Department of Agriculture, to play a more active role in understanding and protecting agricultural lands through the use of working lands conservation easements.
4. Supports the establishment of a fund in state government that could be utilized to help maintain working agricultural lands through the attainment of conservation easements.

Summary

Notes

Resolution was reviewed and readopted on 2/17/2017.