OREGON AGRICULTURAL HERITAGE PROGRAM

# Hybrid Commission Meeting

# March 19, 2026

# Oregon Agricultural Heritage Commission Meeting Agenda

March 19, 2026

**RECORDING**

## Virtual Meeting

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## Meeting Materials

The meeting materials are available on the March 19, 2026, meeting webpage.

*For each agenda item, the time listed is approximate. Anyone interested in a particular agenda item is encouraged to give ample time and listen to the meeting at least 30 minutes before the approximate agenda item time.*

## Public comment

The OAHC welcomes written or verbal public comments on any agenda topic. All written comments and requests to make verbal comments to the commission should be submitted using OWEB's Public Comment Form.

The deadline for submitting written comments and requests is **5:00 pm (PT) Tuesday, March 17, 2026**.

Written comments will be provided to the commission before the meeting. Verbal comments are limited to three minutes and will be heard in the public comment period listed on the agenda.

For additional information on ways to provide public comment and tips for commenting in person, please refer to our website.

## More Information

If you have any questions about this agenda or the commission's procedures, please contact Taylor Larson, OAHP Program Coordinator, at 971-701-3248 or Taylor.Larson@OWEB.oregon.gov

Oregon's Public Meetings Law requires disclosure that commission members may meet for meals when OAHC meetings convene.

If physical, auditory, language, or other accommodations are needed for this meeting, please contact Nicole Bettinardi as soon as possible, and at least 48 hours before the meeting.

## Agenda

| Time | Agenda Item |
|---|---|
| 10:00 am | Welcome, Introductions, and agenda overview |
| 10:10 am | **Item A. Public Comments**<br>This time is reserved for the commission to hear general public comments and review the written public comments submitted before the meeting. *Information item*. |
| 10:25 am | **Item B. Review and Approval of Minutes**<br>Minutes from the February 11, 2026, OAHC meeting will be presented for Commission approval. *Action Item*. |
| 10:30 am | **Item C. Conservation Easement Application Review and Funding Recommendation**<br>Staff will provide an overview of the 2025 OAHP conservation covenant and easement grant offering solicitation process and present evaluations along with technical review team rankings. *Action item*. |
| 12:00 pm | **Break** |
| 12:30 pm | ***Continued agenda item***<br>**Item C. Conservation Easement Application Review and Funding Recommendation**<br>The commission will deliberate and make a funding recommendation to the OWEB board for consideration at its April 2026 meeting. *Action item*. |
| 2:00 pm | **Item D. Scoring Rubric**<br>Staff will facilitate discussion around refinements to a draft scoring rubric and the commission will consider adoption of the rubric for use during future conservation covenant and easement grant solicitations when funding is again allocated to OAHP. *Possible action item*. |
| 2:55 pm | **Item E. Other Business**<br>This item is reserved for other matters that may come before the commission. *Information item*. |
| 3:00 pm | **Adjourn** |

## Oregon Agricultural Heritage Commission Membership

Daniel Bigelow
James Robert Collins
Ed Contreras, *vice chair*
John Deck
Nancy Duhnkrack
Sara Evans-Peters, *chair*
Mark Labhart, *OWEB ex officio*
Jan Lee
Laura Masterson
John O'Keeffe
Mark Vargas
VACANT

## Contact Information

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775 Summer Street NE, Suite 360
Salem, Oregon 97301-1290
503-428-1804 / OWEB website
Oregon Agricultural Heritage Program (OAHP)

**OAHP Program Coordinator –** Taylor Larson
**Taylor.Larson@OWEB.oregon.gov**
**OAHP Conservation Easement Specialist –**
Robin Meacher
**Robin.M.Meacher@OWEB.oregon.gov**

**RE: Public comment to Oregon Agricultural Heritage Commission**

Dear Chair Evans-Peters and members of the Commission:

My name is Nellie McAdams and I represent Oregon Agricultural Trust (OAT), one of the applicants to the Oregon Agricultural Heritage Program. Thank you for the opportunity to give testimony, and thank you for your service. We are grateful for the work of the commission, including making recommendations on the diverse applications from around the state and establishing a scoring rubric for the program.

One of Oregon's many blessings is its diversity of agricultural products, communities, and landscapes. These agricultural lands also support fish and wildlife habitat and water quality and storage functions - not only on the portions where agriculture is not the primary activity, but on the agricultural portions as well. We are grateful that this program takes these complex factors into account and we understand that it's not an easy task.

We are grateful that two of our projects are at the top of the staff rankings. Seely Farms Phase 2 and Ginochio Ranch, in Clatskanie and Lake County's Goose Lake Basin respectively, represent the diversity of Oregon agricultural landscapes. Seely Farm produces a specialty crop that Oregon's climate and soil is especially suited to grow – mint. And Ginochio Ranch is a critical part of Oregon's ranching economy and landscape in Southeast Oregon. Both properties provide significant habitat corridors and habitat for wintering waterfowl. These habitat functions are located not next to, but on the agricultural land itself.

The colocation of habitat on agricultural lands is an important data point for the Commission's discussion of the ranking criteria as well. The program was intended to provide dual benefits for agriculture and habitat, but that came with the recognition that agricultural land itself provides many benefits for habitat and water. It also recognized that fragmentation and development harm both agriculture and habitat, including the ability to use programs in addition to OAHP's Easement and Covenant program to restore habitat and watershed values.

The overarching role for OAHP was to serve as a match for federal funding through ACEP-ALE, which is an agricultural land protection program that also recognizes the inherent dual benefits of agriculture and natural resource values. In developing the scoring rubric, we recommend that the Commission stick as closely as possible to ACEP-ALE's ranking criteria. Both OAHP and ACEP-ALE are dual purpose programs for agriculture and habitat, but the points do not need to be allocated exclusively to agricultural or habitat buckets and then divided equally between the two to achieve this result. Moreover, ACEP-ALE and OAHP would not exist without the need to protect agricultural lands for their agricultural benefits, so the project should first demonstrate the land's importance for agriculture.

For that reason, we support the allocation of points between sections 1, 2, and 3. Even though agriculture is specifically mentioned in the first two criteria, many of the benefits described here extend to fish and wildlife habitat and water quality without explicitly mentioning them. We do not support equalizing these criteria numerically for the sake of ranking because of this overlap, and because the primary purpose of OAHP is to match ACEP-ALE. We also recommend that the threshold criterion for distributing funding from OAHP should be the viability of the property for commercial agriculture.

Within the fish and wildlife criterion #3, we support minimizing points for subcriterion b and distributing these elsewhere. Conservation activities are better captured in a separate conservation plan. This allows landowners to be compensated as the conservation activities occur, rather than considering any reduced property value as compensation for activities required in perpetuity by the easements terms. We generally consider conservation activities to be best compensated by fee for service rather than as part of a real estate transaction.

We also recommend reducing the total points for community impacts. Community benefits *outside of* providing ancillary protection to neighboring agricultural and natural lands were not a significant consideration in the rulemaking process. Yet the helpful tool at the bottom of the rankings shows that community impacts make up 16 points or 14% of the total points in the current version of the rubric. We feel that the best way to do so is to reduce the points allocated to Section 9.

We appreciate that Sections 7 and 8 have few point allocations. For Section 7, while the RAC understandably wanted to support projects that could positively impact land protection, and to align with state and local plans and goals, the primary focus of OAHP is protection of individual properties.

We recommend changing points for criterion 8 to 1, if possible. Historically, criterion number 8 was included in rules because of concerns about the impacts of management practices on land that happened to be protected by habitat conservation easements. The restoration activities on these properties caused incursions of water, weeds, and waterfowl onto neighboring properties. Since easements and covenants are primarily focused on protecting land, not the management of it, and since agricultural practices do not have the same impacts on neighboring properties as wetland restoration, for example, criterion 8 might have been solving for a problem that does not usually exist in an agricultural easement context.

We also recommend reducing the total points for ranking criterion number 9 from 7 points to 1 or 2 points. An easement or covenant is a conveyance of a personal property right and is very personal to the landowner. The impacts of the easement might not be visible except for the lack of development on the property. A landowner and their chosen land trust should not be required to seek or demonstrate public engagement in the landowner's private decision that concerns their finances, business plans, and conservation philosophy. We have seen this requirement chill participation in OAHP and would request that future amendments to statute remove this requirement. Since an amendment is not possible at this time, we recommend that the criterion be given as few points as possible in the rankings. Public engagement is significantly less important than the availability of match funding, which currently receives fewer points (6).

In addition, regarding:

- Criterion 7a, we recommend that landowner donation be considered match for the purpose of ranking.
- Criterion #10, we are concerned that threat to the property might be from the landowner themselves. At times, applicants will make a property more developable in order to increase the easement value. We recommend that higher points be awarded to properties with landowners who have demonstrated a conservation ethic.
- Criterion #11, a lot of points are allocated to it. It would be helpful to understand what entails “few outstanding issues” for a high score. We hope that the subordination of an existing mortgage does not constitute a serious outstanding issue.
- The instructions to reviewers about how to award points, point allocations are frequently awarded based on the amount of discussion in the application about the topic, not based on the strength of the argument or of the property in matching the criteria. We recommend adjusting the language in the instructions to award points at different levels to focus not on the amount of discussion but on the merits of the argument.

Lastly, we see that the the projects that are above the funding line total $1,607,300 in funding and the Spending Plan Target is higher than this figure, at $1,760,000. Since the review team found that all applications qualified for funding, we recommend that the commission offer the difference in funding of $152,700 to the next project in the rankings. Partial funding can still be useful for land trusts that might be able to source match funds from private or other sources, or request a larger landowner donation of easement value. Since the program will be out of funds for the biennium after this cycle and $152,700 is much smaller than the average award, but could be a meaningful contribution to close a project, we recommend spending down the entire grant budget if possible. It would also be an efficiency of scale to distribute those funds in this cycle instead of in a totally new cycle. And a zero balance is also something that the legislature might consider as evidence of program utilization when advocates request funding for the program in the coming biennium.

In summary, we hope that the Commission considers our comments on ranking, supports the staff and TRT recommends for grant funding, and spends the entire grant funds available.

Thank you for you time and thoughtful consideration,

Nellie McAdams, Executive Director

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE COMMISSION

February 11, 2026, OAHC meeting minutes
Virtual OAHC Meeting
Recording at: February 11, 2026

**OAHC MEMBERS PRESENT**
Dan Bigelow
John Deck
Nancy Duhnkrack
Sara Evans-Peters
Mark Labhart
Jan Lee
Laura Masterson
John O'Keeffe
Mark Vargas

**OWEB STAFF PRESENT**
Nicole Bettinardi
Renee Davis
Taylor Larson
Robin Meacher
Sara O'Brien

**OTHERS**
Karsyn Kendrick
Nellie McAdams

## Minutes

| Timestamp | Agenda Item |
|---|---|
| 00:00:00 | The meeting was called to order at 3:00 pm by Sara Evans-Peters: **Recording**<br><br>**Welcome and Introductions**<br>The commissioners and OWEB staff introduced themselves |
| 0:07:00 | **Item A. Public Comment**<br>This time was reserved to hear public comments and review the written public comment submitted for the meeting. *Information item*.<br><br>All written public comments can be viewed on the meeting page of our website. The following people provided verbal comments:<br>• Nellie McAdams, Oregon Agricultural Trust<br>• Karsyn Kendrick, Coalition of Oregon Land Trusts |
| 0:13:21 | **Item B. Review and Approve Minutes**<br>Minutes for December 15, 2025, and January 21, 2026, OAHC meetings were presented for approval. *Action item*.<br><br>Mark Vargas moved the commission approve the minutes for December 15, 2025 and January 21, 2026, OAHC meetings. Motion was seconded by Dan Bigelow. Dan Bigelow, Nancy Duhnkrack, Sara Evans-Peters, Jan Lee, Laura Masterson, John O'Keeffe, and Mark Vargas voted in favor. John Deck abstained. James Robert Collins and Ed Contreras were absent. Motion passed. |

| Timestamp | Agenda Item |
|---|---|
| 0:15:42 | **Item C. Chair and Co-Chair Elections**<br>The Commission elected a new chair and vice chair. *Action item*.<br><br>Jan Lee moved the commission elect Sara Evans-Peters to be the chair. Motion was seconded by Mark Vargas. Dan Bigelow, John Deck, Nancy Duhnkrack, Sara Evans-Peters, Jan Lee, Laura Masterson, John O'Keeffe, and Mark Vargas voted in favor. James Robert Collins and Ed Contreras were absent. Motion passed.<br><br>John Deck moved the commission elect Ed Contreras to be the vice chair. Motion was seconded by Sara Evans-Peters. Dan Bigelow, John Deck, Nancy Duhnkrack, Sara Evans-Peters, Jan Lee, Laura Masterson, John O'Keeffe, and Mark Vargas voted in favor. James Robert Collins and Ed Contreras were absent. Motion passed. |
| 0:21:00 | **Item D. Scoring Rubric**<br>Staff presented on the history of the scoring rubric conversation, survey results, and facilitated a discussion with the commission around refinements to a draft scoring rubric. *Information item*. |
| 1:56:31 | **Item E. Other Business**<br>This item is reserved for other matters that may come before the board. *Information item*. |
| - | The meeting was adjourned at 5:06 pm by Sara Evans-Peters. |

Oregon
Tina Kotek, Governor

OREGON AGRICULTURAL HERITAGE PROGRAM

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**March 19, 2026** Oregon Agricultural Heritage Commission Meeting
**Staff report – Agenda Item C. Conservation Easement Grant Application Evaluation**

## MEMORANDUM

**To:** Oregon Agricultural Heritage Commission (OAHC)
**From:** Taylor Larson, Oregon Agricultural Heritage Program Coordinator (OAHP)
Robin Meacher, OAHP Conservation Easement Specialist
Renee Davis, OWEB Acquisitions and Special Programs Manager

### Background

This staff report provides an overview of the 2025 Oregon Agricultural Heritage Program (OAHP) Conservation Covenant and Easement grant solicitation and outlines staff recommendations for commission consideration. The 2025 legislative session resulted in a $2 million general fund appropriation to the Oregon Agricultural Heritage Fund ($1,760,000 for grants and $240,000 for operations) through OWEB's budget bill (House Bill 5039). During its August 2025 meeting, the OAHC allocated all available grant funding ($1,760,000) to the OAHP Working Lands Conservation Covenant and Easement grant offering in its 2025-2027 OAHP spending plan.

The conservation covenant and easement grant solicitation opened in September 2025 and closed on November 13, 2025. Six applications were received, requesting a total of $2,775,702 in OWEB funding. All applications requested funds for the purchase of perpetual conservation easements. There were no applications for termed covenants.

### Process

The working land conservation easement applications were reviewed in accordance with administrative rules for the program, adopted in 2019 and updated in 2025. Per OAHP's statute and rules, staff's role in the application review is to facilitate a process where applications are evaluated and ranked by a technical review team (TRT) with expertise relevant to the evaluation criteria for the grant offering. The review team does not make "fund/do not fund" recommendations on submitted applications based on merits of the proposed projects relative to the evaluative criteria. Rather, the review team's ranking signals their expert opinion on alignment of proposed projects with program intent. Staff present the OAHC with the application ranking from the review team and the evaluations, along with a funding recommendation. The OAHC, per statute, reviews and considers these rankings and recommendations in the development of the commission's recommendation to the OWEB Board.

Applications were reviewed by OWEB's due diligence contractors and the OAHP Conservation Covenant and Easement Grant Offering TRT. Project soundness review was provided to OWEB staff in written form on the project elements related more specifically to the transaction's soundness, as well as the applicant's capacity to purchase and steward the easement. Virtual site visits for each project were facilitated by OWEB staff for the benefit of the TRT and applicants. The purpose for the virtual presentations was for applicants to describe their proposed project to the technical reviewers directly and respond to any clarifying questions from the reviewers. The TRT then met to discuss, evaluate, and rank the applications. This discussion was summarized by staff and is presented in the evaluations in Attachment A. The review team ranking is in Attachment B.

As this is the third round of application solicitation and review for this grant type, many of the review team and soundness reviewers have had multiple opportunities to engage with the application materials. The review team generally found that all projects were "qualified" in terms of meeting basic OAHP CE program requirements and thresholds. They noted that more consistency and clarity related to application documents facilitates their review, particularly regarding accuracy of maps, consistency between and within title documents, and specificity of draft easements to the proposed project. OWEB staff will review program guidance prior to any future solicitation to identify areas where more precise direction to applicants would facilitate applicants better meeting the expectations of reviewers.

Those applications that ranked the highest were considered to have provided the most well-articulated and well-documented rationale for why the property and its values were significant, how the specific resources would be protected, and the threat facing the property. Higher ranking applications also were considered to address all the evaluation criteria for the OAHP conservation covenant and easement program to the best and broadest extent among the applications. The applications lower in the ranking, though acknowledged as meeting basic requirements for the program, were forwarded to the Commission with some qualifiers. The TRT noted that these applications lacked sufficient justifications to persuade them that the property and the resources were significant to the point of warranting limited public funds be allocated to these projects ahead of higher ranked applications for which alignment with program intent was clearer.

Per administrative rule 698-015-0120, staff provided the governing bodies of cities and counties with jurisdiction in the area of the proposed covenant or easement acquisition, as well as affected governmental agencies and federally recognized Tribes, with written notice of the projects. The notice also signaled the Commission's intent to consider written and oral comments provided at the meeting where the applications are considered. All testimony, including any oral testimony received by the Commission, will be summarized in the staff report to the OWEB Board at the April 28-29, 2026 meeting.

All projects will have adjusted indirect costs based on items identified in budget reviews, including an agency-wide implementation of the increase in Federally accepted de minimis cost rate from 10% to 15%. This will be factored into the final OWEB ask for each project recommended for funding by the commission and updated recommended funding amounts will be reflected in the OWEB board meeting materials.

## Recommendation

Staff recommend the Commission recommend the OWEB Board fund the OAHP Working Lands Conservation Covenant and Easement grants up to the recommended funding line as detailed in Attachment B.

## Attachments

A. OAHP Working Land Conservation Covenant and Easement 2025 Application Evaluation Summaries
B. OAHP Working Land Conservation Covenant and Easement 2025 Application Ranking
C. Map of 2025 OAHP Working Land Conservation Covenant and Easement Applications

# Fall 2025 OWEB Grant Offering

## Oregon Agricultural Heritage Program

Conservation Covenants and Easements

| | | | |
|---|---|---|---|
| **Application No.:** | 226-7101-24836 | **Project Type:** | Conservation Easement |
| **Project Name:** | Union Orchards Conservation Easement 2025 | | |
| **Applicant:** | Blue Mountain Land Trust | | |
| **Region:** | Eastern Oregon | **County:** | Union |
| **OWEB Request:** | $296,759 | **Total Cost:** | $569,059 |

## APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

Union Orchards is a 93-acre property located in Union, Oregon. Blue Mountain Land Trust (BMLT) is proposing to purchase a working lands conservation easement from Andrea Malmberg, permanently protecting its grazing uses and natural resource values. The property is managed for cattle and sheep grazing, and the holistic grazing management practices employed on the property have improved the property's grassland production, plant communities, and soil water storage capacity, and reduced dependence on irrigation. The landowner manages the property for long-term agricultural and financial viability of their grass-fed cattle and sheep business, as well as for long-term soil health and ecological resilience.

In addition to protecting agricultural viability, the conservation easement will allow for the leasing or transfer of water rights for beneficial use in-stream or for irrigation use. Union Orchards holds 88.56 acres of senior surface water rights from Catherine Creek, a major tributary to the Grande Ronde River. With an 1874 priority date, these rights are among the most senior in the basin. The easement will not encumber these rights.

A portion of the property is within the city limits of Union and has high development pressure. A perpetual conservation easement will ensure long-term protection and agricultural viability on this property.

BMLT has secured matching funds for a Natural Resources Conservation Service (NRCS) Agricultural Lands Easement (ALE) conservation easement. Partners on this project would be Andrea Malmberg, Blue Mountain Land Trust, NRCS and OWEB.

## REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

### *Agricultural and Natural Resource Values*

The application describes a project that protects significant high-value agricultural soils on land adjacent to the town of Union. Reviewers noted and concurred with the application's assertion that high percentage of high-quality soils across the property was a significant natural resource attribute. The water rights are senior and uncommon for the area and the soils on the property are well suited to support a variety of agricultural operations. The application describes how the current management has supported building soil health, increased water conservation, and achieving high forage productivity. That said, reviewers questioned the significance of the property to the region's agricultural land base given its size and location, and relative lack of distinguishing features that were not grounded in the present owner’s management commitment. Although reviewers note that the operation involves local processing and sale of grass-finished products, they were uncertain about the significance of the agricultural operation within the regional agricultural landscape. Reviewers did commend the landowner for their commitment to on-site education and teaching about holistic agricultural management on the property, along with their interest in supporting the land’s carbon sequestration potential.

The application describes benefits to 23 modeled wildlife species. Reviewers noted that the habitat benefits described for the property are somewhat indirect and that the application did not address how the project would support habitat uplift. The application made a compelling case for the carbon currently being sequestered on the property, partly due to current management. Reviewers expressed concern that a plan for protecting the sequestered carbon into the future was not adequately described, given that the current approach to the conservation easement is not to prescribe management practices within the deed itself but potentially negotiate these practices into the management plan.

***Agricultural and Natural Resource Outcomes***

Reviewers felt the proposed conservation easement could appropriately protect the identified agricultural and natural resource values described in the application. Reviewers also noted that the property did face some threat of development due to the proximity the urban growth boundary of the town of Union. However, some reviewers noted that the development threat was not well articulated or immediate, as the town of Union may be challenged to establish a need to expand in the direction of the proposed property, given the demonstrated high-value soils throughout the property. The property's location also limits its ability to provide habitat to some wildlife and noted that habitat management objectives (e.g., encouraging use by ungulates) may be at odds with developed areas in the city.

While the property is functionally a part of the region’s agricultural land base, reviewers were unclear the degree of significance the proposed 93 acres of the project represented. The application appeared to rely heavily on the property’s proximity to the town of Union and the unique educational opportunities provided by the current landowner’s use of the property to demonstrate holistic management principles. The extent a conservation easement on the property would be a meaningful contribution to the network of working land in the region was not strongly compelling. The application did not thoroughly explain how the easement would secure agricultural outputs that can support or complement a viable agricultural operation beyond the unique approach taken by the current operator.

***Engagement and Maximizing Resources***

This project will utilize matching funds from the Natural Resource Conservation Service ACEP ALE program toward the acquisition cost of the conservation easement. The application mentions collaboration and support from neighboring landowners and from the Union Soil and Water Conservation District. However, the nature of engagement is not described in the application or documented through letters of support.

***Organizational Capacity***

Blue Mountain Land Trust (BMLT) provided a copy of their Conservation Plan 2020-2024, which shows the subject property within their service area, and states the organization’s dedication to preserving “farm and ranch lands.” The Plan shows two completed projects (through 2019) near the subject property. BMLT’s articles of incorporation (III. C) specifically mentions preservation of farmland and other organizational documents cite protection of prime soils and food production (working farms and ranches). BMLT’s mission statement includes protection of “working lands.” Confirmation of renewal of accreditation from the Land Trust Alliance Accreditation Commission would be needed, as the organization was in the process of renewal at the time of application.

The application provides a general comment about 25 years of experience protecting working lands, but little information is provided for individual staff experience beyond academic credentials. The application details a standard approach for monitoring, with the addition of remote imagery software. The narrative does not specifically cover easement enforcement experience. BMLT appears to have a solid track record as an organization, with 20 conservation easements totaling over 23,000 acres protected. This track record, along with their described procedures and policies, indicates that BMLT should be capable of managing the project successfully.

Insufficient information was provided with the application to reasonably determine the organization's existing financial circumstances. The application narrative states BMLT "ensures it maintains a three-month operating reserve at all times. BMLT's funding is a mixture of individual contributions, grants, fee-for-service contracts, and investments. BMLT maintains a board-designated stewardship fund to ensure long-term viability and monitor and enforce its conservation easements that exceed the LTA-suggested reserve amounts." Stewardship funding needs specific to the proposed conservation easement were provided with more detail, with a detailed calculator sheet showing a stewardship amount of $36,399 needed to cover annual easement administration expenses. The amount appears reasonable for the proposed easement. There is no indication how BMLT intends to secure the identified contribution, though it mentions that the organization strives to maintain a three-month operating surplus at all times.

***Project Soundness***

BMLT is requesting funds to purchase a perpetual conservation easement on the property. The application states the easement will be for the purpose of protecting the property for agricultural uses, open space, and the protection of valuable soil resources. The application also identifies benefits to aquatic species from the anticipated instream dedication of senior water rights associated with the property on Catherine Creek, through either a permanent transfer or termed or seasonal leasing. The water rights will be addressed independently from the terms of the conservation easement, providing flexibility for the landowner to adjust as needed to meet specific ecological and agricultural goals in the future.

The timeline has all the expected elements, but the sequencing/timing does not align well with the grant period and expectations for OWEB review of due diligence items. For instance, the project schedule identifies the completion of the appraisal, baseline documentation, and management plan in Q2-Q3 2025, though OWEB strongly encourages OWEB approval of an easement draft prior to appraisal and completion of the baseline documentation report as close to the transaction closing as practicable. BMLT did include the standard set of due diligence in their timeline and budget, suggesting BMLT's understanding of the project needs. BMLT should reconsider the sequencing of items such as easement negotiation, title work, and any survey needs (e.g., identified acreage discrepancies should be remedied via a surveyor) prior to the appraisal to ensure that the appraisal considers details that would have an appreciable effect on value. BMLT would need to provide an updated project schedule that details the anticipated sequencing and timing in a manner that ensures success within the 24-month grant period.

Certain title matters need clarification, including anticipated changes in vesting that will require additional updates to the title documentation. Clarification related to title matters identified in the application materials include legal status of public and private right of ways attached to the property and confirmation of the status of the mineral estate. Further documentation regarding the water rights associated with the property is necessary to confirm the relationship between the entity identified on the water right certificates and the current landowner.

The easement draft would require project-specific edits to meet OWEB requirements related to OWEB's third-party right and confirmation that final deed terms are consistent with the program intent and protections/objectives identified in the application.

In general, there is little concern that these issues would impact the ability for the applicant to complete the project within OWEB-required 24-month timeframe.

# Fall 2025 OWEB Grant Offering
## Oregon Agricultural Heritage Program
### Conservation Covenants and Easements

| | | | |
|---|---|---|---|
| **Application No.:** | 226-7106-24839 | **Project Type:** | Conservation Easement |
| **Project Name:** | Willow-Witt Conservation Easement | | |
| **Applicant:** | Pacific Forest Trust | | |
| **Region:** | Southwest Oregon | **County:** | Jackson |
| **OWEB Request:** | $546,000 | **Total Cost:** | $890,000 |

## APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Willow-Witt Ranch Conservation Project located in Jackson County, Oregon consists of approximately 446 acres and is an organic, direct-to-market farm and ranch situated 7 miles northeast of Ashland and within the Cascade-Siskiyou National Monument ("CSNM"). The property has been in agricultural use including livestock and forestry for over 150 years. It is home to a certified organic agricultural enterprise that includes raising food and small livestock as well as selling food products for the Ashland-Medford area. As an enterprise, they have developed several overlapping businesses using low impact facilities for outdoor education, recreation and a natural burial ground for people and pets, as a way of generating additional revenue which supports the sustainable use of the natural resources on the Property. The challenge the aging landowner faces is how to protect the central agricultural uses of this Property and protect significant public benefit investments she has made in restoring soils, water, habitat and forest health which were degraded by past land uses. The Conservation Easement will limit uses to protect agriculture, forestry and other compatible uses while protecting ecological functionality. The conservation values include springs, montane wet meadows, upland prairie and oak savannah, ponderosa pine woodlands, and watershed values of regional importance. It supports a major breeding population of northwestern pond turtles, as well as Sandhill cranes, pileated woodpeckers and potentially, northern spotted owl among other special status species. The CE value is estimated to be $805,000 of which we are seeking $494,000 from OAHP plus project expenses. Matching funds are being provided by a private funder along with the landowner's contributions for Stewardship funding. Pacific Forest Trust (PFT) will hold the easement as the landowner's sole partner.

## REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

### *Agricultural and Natural Resource Values*

Reviewers reinforced that the property provides significant wildlife habitat—including springs, wet meadows, and oak savannah—as well as mixed-conifer forest resources. The agricultural components of the property were seen as secondary and in support of the habitat and forestry resources already present on the property. The review team acknowledged the current operation's contribution to the local food economy through direct sales of meat and produce at local farmers' markets and other channels. However, they felt that the chances of the property being utilized/expanded into a large-scale agricultural operation in the future seemed relatively low due to its remote location, existing resource base, and the plan for excluding agriculture from the meadow. Reviewers did note that adjacency to Cascade-Siskiyou National Monument provided significant opportunity for contiguity of wildlife habitat.

The application detailed the significance of the natural resources present on the property, including high-value/high-elevation habitat for the Western Pond Turtle. The application also clearly identified the property as a climate resilient area with unique habitats that are worth protecting. Reviewers were impressed with the mix of and commitment to habitat and wildlife. However, exclusionary protection of areas such as wet meadows was identified as presenting trade-offs relative to the agricultural uses and productivity of the operation and degree of regional significance to agriculture.

### *Agricultural and Natural Resource Outcomes*

The proposed easement would protect the property's habitat and agricultural values from additional development. The property does not appear to face an immediate threat from development and the more tangible and immediate threats to the described conservation values come from changing climate conditions and the potential for future mismanagement. Reviewers noted that potential subdivision into 80-160-acre parcels is possible and would be detrimental to the natural resource values of the property. Reviewers noted the proposed easement would support protections that would maintain the ability to continue the small-scale agriculture operation currently operating on the property. This operation has demonstrated the ability of the property to support a viable operation, though small. Some concern was expressed that while the easement would allow for this use, this landowner has created a unique, multi-faceted operating structure across the various commercial enterprises on the property that is highly intertwined and dependent on an owner committed to carrying this forward. This outcome is not something that an easement can guarantee.

There is significant wildlife habitat on the property supporting many ODFW strategy species and current management practices support the health of these wildlife habitats. The specific habitat protections and exclusion areas focused primarily on wildlife habitat and ecological function are strong protections for these resources. Protecting the property from additional development and the reference to specific-habitat focused goals would add protection to the quality and connectivity of these significant wildlife habitats into the future, especially given proximity to the Cascade-Siskiyou National Monument (CSNM).

The relatively proximity to the Ashland area, while also being within the CSNM also could increase the property's desirability for non-agricultural or conservation minded ownership, specifically recreational development interest. This threat is not necessarily addressed through the conservation easement, as the easement protects the ability for small-scale agriculture and sets aside habitat areas, but continues to allow substantial, unrelated commercial uses.

### *Engagement and Maximizing Resources*

The property currently provides numerous community benefits including outdoor education, recreation, and food production for local markets. Reviewers questioned whether or how the proposed easement would ensure these community benefits continue beyond the current ownership. They commended the landowner for the innovative approach being taken that includes education, habitat, and a mix of other business approaches. The reviewers also appreciated the engagement with local tribes described in the application.

### *Organizational Capacity*

Pacific Forest Trust (PFT) provided documentation that protecting land for agricultural purposes is included in its organizational documents. PFT's articles of incorporation specifically mention preservation of agricultural land and forest land, both of which are goals of the proposed working land conservation easement. PFT also provided documentation of accreditation from the Land Trust Alliance Accreditation Commission.

PFT's financial portfolio and stewardship endowment are satisfactory for the proposed project. The stewardship contribution amount described appears adequate for conservation easement stewardship and monitoring needs identified. The annual monitoring costs described in the accompanying stewardship calculator seem appropriate, based on the nature of the conservation easement. PFT does intend to take on the development of the management plan that will accompany the easement and no additional allocation of funds for the administration is apparent for that cost. Better clarification of management plan roles and funding responsibilities would have been helpful. Overall, the projected amount, $25,139, needed to cover annual easement administration costs appears reasonable to low, depending on the level of engagement the organization may have in the management plan administration/implementation.

The project team consists of multiple staff with substantial experience in working lands conservation easement transactions, as well as conservation easement stewardship. This is PFT's first application to the OAHP working lands conservation easement program, though the organization has worked through a handful of OWEB Land Acquisition grants and those projects were completed as described and generally within the timelines proposed in the applications.

***Project Soundness***

The proposed conservation easement utilizes a complex structure that includes agriculture, recreation, education, conservation, forestry, and cemetery uses conducted across the property, with many of the specific activities confined to what will become specific "use zones" under the easement terms. Some of these uses are more complicated than others; for example, the cemetery, education, and camping infrastructure inherently come with the management of people and third-party expectations. Leases and tenant agreements related to the various entities that utilize the site should be provided and reviewed by both PFT and OWEB to determine the consistency of the agreements with the expectations in the easement and the grant program.

The application generally describes the transaction structure, and it appears some due diligence items required by OWEB are not accounted for in the project timeline. Most significantly, the timing of the development of the conservation easement should account for coordination with OWEB to make sure it meets all OWEB requirements and adequately captures the goals for agriculture and conservation described in the application, as the draft conservation easement will need revisions to ensure consistency with the intentions stated in the application and integration of OAHP's required provisions. Despite this caveat, the expectations of meeting OWEB due diligence requirements appear well understood, adequately described, and the easement terms are well along in development. Extra care will be needed in finalizing the easement terms to ensure clarity and durability into perpetuity as the conservation easement design is complex, with various allowed uses and zones that could have significant impact if not monitored and managed properly by the landowner and any successive landowner. Accordingly, a survey of the different management zones would be prudent to most accurately delineate the zones, and a plan for adequately delineating, recording, and marking these zones in the easement must be presented.

Other due diligence is in progress and appears on track to meet the required timeline if awarded funding. Expectations regarding purchase price are based on reports and data produced by qualified individuals, providing more likelihood that the purchase price in the agreed upon transaction agreement will be supported by the required appraisal. The expected purchase price is based on a "loss in value" report, but the budget adequately captures the price expectations agreed upon in the Purchase Option, which supports project readiness. An initial environmental questionnaire performed shows additional readiness, though PFT did not acknowledge or build a formal ESA into the timeline, despite its inclusion in the project budget. Additional title research and clarification regarding known title exceptions will be necessary to explore potential subordination needs, confirm access, research chain of title to substantiate accuracy of current vested owner (and make any corrections, if necessary), evaluate the applicability of timber liens, and further document water rights, among other matters.

Expected project elements included in the project budget are generally captured, though survey costs for the description of the conservation easement's various zones and confirmation of the property's boundaries are not included.

There is moderate concern that the complexity of the easement design will require substantial time for reviewing and editing the conservation easement draft to ensure clarity and durability of the terms. In general, however, the applicant has a strong grasp on due diligence requirements and there is a slight concern that the complexity of the project design will impact the project's ability to be completed within the 24-month timeline required by OWEB.

# Fall 2025 OWEB Grant Offering

## Oregon Agricultural Heritage Program

Conservation Covenants and Easements

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| **Application No.:** | 226-7104-24840 | **Project Type:** | Conservation Easement |
| **Project Name:** | Ginochio Ranch | | |
| **Applicant:** | Oregon Agricultural Trust | | |
| **Region:** | Central Oregon | **County:** | Lake |
| **OWEB Request:** | $428,042 | **Total Cost:** | $805,700 |

## APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The project is an 871-acre ranch in Lake County's Goose Lake Basin, Oregon's highest agricultural valley. The property consists of native rangeland and irrigated pasture, with 72% of prime soils and soils of statewide importance. It has secure irrigation rights for 302.5 acres and an additional 10 acres of flood-irrigated pasture. The ranch is used for direct grazing, with cattle rotated seasonally between this property and other lease pastures in the basin.

A significant portion of the property lies within ODFW Priority Wildlife Connectivity Areas (PWCA), providing an important habitat corridor for species movement after disturbances like development and wildfire. The eastern section of the ranch is ranked as "most crucial" for aquatic habitat. Additionally, the property is within mule deer winter range, offering vital habitat with favorable vegetation and less snowpack during winter months.

This ranch is located in an area threatened by subdivision, with large ranches being split into smaller "ranchettes," which diminishes their ability to support viable agricultural operations. These properties are often owned by non-farming individuals and the subdivision process also disrupts wildlife corridors. The conservation easement, held by Oregon Agricultural Trust (OAT), will safeguard the land for agricultural use and protect its wildlife habitat. The landowner has invested in improving water resources, agricultural productivity, wildlife habitat, and wildfire resilience, including irrigation improvements and juniper removal.

OAT will manage the project and hold the easement. Half of the easement's purchase price is funded through NRCS ACEP-ALE.

## REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

### *Agricultural and Natural Resource Values*

The proposed property is a valuable piece of agricultural land in a region with a high level of land fragmentation and conversion toward non-farm and/or hobby farm use. The threat of conversion from agricultural to non-farm uses is exceedingly high in Lake County, along with solar development in the area. The property's secure irrigation rights and infrastructure add value to the soil quality, enabling the property to grow some of the best hay and forage in the region and support a viable cow-calf operation that is integrated into a larger operation functioning across the region. In particular, the combination of water rights and irrigation is particularly rare in this region and important to protect at this scale through agricultural easement programs. The combination of irrigated fields with dry rangeland helps to ensure the property can support a range of viable agricultural operations now and into the future. The property also provides important connectivity to the Pacific Flyway for many migratory and summering bird species that use wet meadows, irrigated fields, and riparian areas.

Additional important natural resource values also include Antelope Creek, which flows through the property, is within the Goose Lake Basin, and has four fish species proposed for listing within the coming years. In addition, ungulates use these areas as core winter range. The wetlands on the property provide important habitat and connectivity for birds. Reviewers appreciated complementary work on juniper control and soil-health improvements. The property adds connectivity between the valley floor and the neighboring federal lands for terrestrial wildlife movement, including various ungulates and grey wolves. The upland areas, especially considering the investment by the landowner and the Natural Resource Conservation Service (NRCS) to reduce juniper, adds to the importance of the baseline of the property as it is situated within mule deer winter range, a crucial area facing decline and targeted for protection.

***Agricultural and Natural Resource Outcomes***

Overall, the application well described how the project will balance the needs of agriculture and the needs of wildlife on the property under the proposed working land conservation easement. The easement is structured and described in a manner that would maintain the large tract of valuable agricultural land and reduce fragmentation of important wildlife habitat attributes. The proposed conservation easement would eliminate the ability for subdivision and residential development, as well as other uses incompatible with the identified agricultural uses ensuring a large property that is a valuable piece of the region's agricultural land base would remain intact.

The water rights and irrigation infrastructure are intended to be protected by the easement, adding to the ongoing resilience of the property to sustain agricultural viability in the face of climate change in this drought-prone area. It was noted that the income from the easement could provide the operation with more capital to better develop important irrigation infrastructure that is vital to the viability of the operation.

The level of threat posed by development and subdivision of the proposed property is well articulated, including the threat of solar development and ownership fragmentation due to interest in smaller scale "ranchettes" throughout the county.

***Engagement and Maximizing Resources***

The proposed working land conservation easement is being matched with the NRCS's ACEP-ALE program and would build on existing easements in the area that promote a culture of both agriculture and conservation in Lake County. This would be the second OAHP-funded easement in OAT's Goose Lake Investment Zone. The property sits within OAT's "Goose Lake Investment Zone," which was developed as part of the organization's overall farm and ranch protection plan. The development of that plan is stated to include local community engagement, and the community identified this area as one to invest in wildfire and drought resilience along with agricultural economic stability.

The proposed project also builds upon NRCS partnership and investment with the landowner to treat juniper on the property's uplands.

***Organizational Capacity***

Oregon Agricultural Trust (OAT) is a statewide agricultural land trust dedicated to partnering with farmers and ranchers to protect working lands in Oregon. This project fits in the organization's mission, which is to permanently protect agricultural land. OAT provided documentation of its articles of incorporation and bylaws that state that the corporation is organized: to ensure the protection and conservation of

Oregon's agricultural land base, promote the stewardship of agricultural land as an asset critical to Oregon's economy, and help farmers and ranchers keep their land in agricultural production for future generations. Further, the project is within OAT's "Goose Lake Investment Zone" priority area. OAT is a newer organization that recently was accredited with the Land Trust Alliance, showing a recent third-party determination that the organization maintains high standards for fiscal responsibility, ethical conduct, strong governance, and perpetual stewardship. This would be OAT's third easement in their Goose Lake Investment Zone.

The OAT's transaction staff identified for this project seems capable of managing this easement project. The project lead has specific working lands conservation easement experience and familiarity with the NRCS. The stewardship team and monitoring practices are not well documented in the application related to the team experience, resources, and time available for long-term stewardship. Little detail was provided about staff responsibility for conservation easement stewardship. Given the backstop of LTA accreditation, concern regarding the organization's ability to complete and meaningfully steward the easement is reduced, but additional documentation, such as the organization's stewardship policy would be useful. OAT has three open OAHP conservation easement grants, spread across two project managers. As noted in the application, OAT is becoming familiar with the process of working through OWEB's grant processes and the time needed to ensure project documents are consistent with OWEB/OAHP requirements.

The Stewardship Costs included in the application would benefit from clarification. OAT included a Long-Term Stewardship Costs Calculator that provided insight into expected project costs which are somewhat inconsistent with the level of monitoring described in the application narrative (e. The project budget includes a contribution of $29,316 for the project endowment, proposed to be split evenly between OWEB funds and a landowner contribution. This approach is reasonable, and it is helpful that OAT has an established plan for acquiring the easement funds prior to closing. Confirmation from the landowner or an acceptable alternative will be requested to confirm the stewardship funding is adequately acquired in the appropriate timeframe.

***Project Soundness***

The proposed conservation easement structure appears straightforward, with OAT describing an intent to balance the wildlife benefits with ongoing agricultural production in a manner that supports the ongoing viability of the property for agriculture. The proposed easement draft submitted is for a different property/project than that proposed here and described in the application, which made it difficult to determine what the specific CE terms are intended to look like specific to the property and the natural resources. OAT will need to make project-specific alterations to the draft submitted and should be prepared to work closely and efficiently with OWEB staff, NRCS, and the landowner to ensure compatibility and agreement across each party's needs.

Title documentation overall raised few concerns, other than missing documentation related to certain exceptions and evidence of severed mineral rights. Minerals will need to be examined to determine whether release or extinguishment is possible, or if the former are impracticable, contract with a geologist to assess the mineral resource potential and determine if the likelihood of mineral extraction is so remote as to be negligible. Access needs to be further documented, as the title documentation and other access related materials do not clearly document legal access to the property. It should be confirmed that the property is directly adjacent and accessed by a public road, or that there is a private easement that guarantees access necessary for the project.

The water rights are noted as important to maintaining the conservation values, but the easement draft did not include provisions protecting the water rights. This will need to be addressed, as the agricultural, natural resource, and habitat values are described as significantly benefitting from the property's water rights. Clarification of the current status of the rights will be important to this process, as the maps provided show Point of Diversion and Place of Use do not specifically identify each right.

Overall, there is little concern that the applicant would be able to complete the project within the 24-month timeline required by OWEB. The standard due diligence items appear to be normal and straightforward. However, an easement draft specific to the project that has been reviewed by the landowner was lacking and could take significant time to develop.

# Fall 2025 OWEB Grant Offering

## Oregon Agricultural Heritage Program

Conservation Covenants and Easements

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| **Application No.:** | 226-7103-24841 | **Project Type:** | Conservation Easement |
| **Project Name:** | Seely Farms Phase II – Seely Mint Farm | | |
| **Applicant:** | Oregon Agricultural Trust | | |
| **Region:** | North Coast | **County:** | Columbia |
| **OWEB Request:** | $408,702 | **Total Cost:** | $731,833 |

### APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The 484-acre Seely Mint Farm is located in Clatskanie, Oregon, on the Columbia River. Adjacent to the existing OAHP/NRCS funded Seely Farm Phase I Harbor Master Beef conservation easement project, the two together would protect 867 acres of highly productive farmland within the Oregon Department of Fish and Wildlife Lower Columbia River Conservation Opportunity Area (COA) which includes over 40,000 acres of USFWS Refuge lands. 2. Farms in this community face a direct threat from re-zoning and conversion to industrial use by the Port of Columbia County. This conservation easement project, which has obligated matching funding from USDA NRCS, will permanently preserve an additional 484 acres of high value farmland, keep it in active agricultural production, and available for wildlife, including documented Columbian white-tailed deer, a Federally-threatened species. This farm also contributes to the network of agricultural lands that provide resting and foraging opportunities for several species of wintering waterfowl. Oregon Agricultural Trust is the project manager and will be the long-term conservation easement holder. 3. The proposed work is purchasing a conservation easement and working with Ducks Unlimited and the landowner to create an integrated farm and wildlife habitat management plan for 66 acres of non-farmed areas. 4. Project partners are the USDA Natural Resources Conservation Service, who has already obligated the $308,000 matching contribution for the CE purchase and Ducks Unlimited, who will provide technical assistance with non-farm set-aside design and habitat management strategy development to benefit wintering waterfowl, resident birds, mammals, and other wildlife.

### REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

#### *Agricultural and Natural Resource Values*

The application describes a project that includes the protection of multiple parcels that exist within a mosaic of agricultural lands in a highly agriculturally productive agricultural region. The property itself has highly productive, unique soils with high organic content. This is typical of soils within this localized region, and this type of land is rare in the larger context of the state's agricultural land (i.e., highly organic soils with the capacity to produce high value specialty crops). The reviewers noted that the application described the high extent that these parcels, along with those in a previously funded, yet related phase, will contribute to the long-term conservation of the region's agricultural land base.

The application thoroughly explained the importance of the property to the overall functioning of the Beaver Drainage District (BDD), which maintains water drainage infrastructure that benefits all agricultural landowners situated within the district boundaries. The application described the numerous investments that the landowner has made in its own operation, as well as the importance of this operation as a dues-paying member of the BDD to supporting the ongoing viability of neighboring agricultural landowners and operators.

The application described the benefit of the property for wildlife values in the Columbia River corridor, including Columbian white-tailed deer and migratory birds. It was noted that while hydrologic connection may be lacking for the benefit of fish species, anything approaching a native shoreline along the Columbia is relatively rare and therefore significant for wildlife. Reviewers concurred with the application's depiction of the property's contribution to significant open space and habitat benefits for waterfowl that are federally threatened.

Overall, the reviewers determined that the application thoroughly described how the property included in this project builds on protection from the past phase and contributes additional acreage to OAT's work in this region. Ultimately, the project will help create critical land mass needed to support the functionality of the Beaver Drainage District as well as contributing to a demonstrably viable farm operation.

***Agricultural and Natural Resource Outcomes***

Reviewers noted the substantial benefit that the proposed easement restrictions on non-agricultural uses provide to reduce the potential for future conversion and fragmentation not only of the agricultural land on the property included in this application, but the surrounding agricultural land as well. The inclusion of an affirmative obligation to use the land for agriculture in the easement terms increases the extent to which the land is likely to remain agriculturally viable and utilized. Significant threat was documented related to industrial encroachment by the nearby port and other non-agricultural landowners within the Beaver Drainage District. Even though the tracts themselves are fragmented across the area, each one fits into the overall larger agricultural landscape that is experiencing pressure from the port. If/as other properties are moved out of production, viability of other properties in the area are threatened.

The project will have real and tangible benefits for agricultural land, and the easement appears structured in a way that will protect the most significant agricultural resources – the high value soils – while thoughtfully balancing the need for local infrastructure for the operation. The current crop, mint, is a longer-term investment that supports soil health, as it is a perennial crop that generally is on a decadal rotation pattern. Utilizing building envelopes in the manner described is a reasonable approach to contain development on the property and allows the landowner to provide housing and infrastructure to support the farm operations. Further, the partnership with Ducks Unlimited for the development of wildlife set-asides demonstrates commitment to partnering with an entity experienced in developing integrated management strategies that benefit agricultural production and wildlife. Further, those actions described primarily from the perspective of waterfowl habitat uplift will also likely benefit Columbia white-tailed deer. Reviewers noted that deer rely on connected areas for movement and the perpetual protection of these properties as open space will benefit the species.

Review acknowledged that the majority of the benefits provided by this project are targeted at the agricultural land and operation, yet it is noteworthy that there are detailed and significant benefits to wildlife of the Columbia River corridor as well. Coupling this project with the acres to be protected under the first phase helps to curb encroachment from documented and immediate nearby threats. Reviewers also appreciated the deliberate inclusion of wildlife components into the easement design itself.

***Engagement and Maximizing Resources***

This project builds on NRCS matching funds and, when lumped with the OAHP and NRCS investment in the first phase, presents an attractive opportunity to expand upon conservation investment. Further investment in conservation practices and planning on the part of the landowner with NRCS and other partners shows additional leveraging of funds contributing to the project goals.

As described in more detail above, the application describes the significant and real impacts this project could have on the owners and or operators of neighboring land. Protecting this land increases the likelihood of ongoing participation (and dues payment) in the Beaver Drainage District, providing benefit to all those that rely on the infrastructure for their farming operations. The landowner's direct involvement with the BDD demonstrates commitment to and consideration of that community.

***Organizational Capacity***

Oregon Agricultural Trust (OAT) is a statewide agricultural land trust dedicated to partnering with farmers and ranchers to protect working lands in Oregon. This project fits in the organization's mission, which is to permanently protect agricultural land. OAT provided documentation of its articles of incorporation and bylaws that state that the corporation is organized: to ensure the protection and conservation of Oregon's agricultural land base, promote the stewardship of agricultural land as an asset critical to Oregon's economy, and help farmers and ranchers keep their land in agricultural production for future generations. Further, the property is located within OAT's "Clatskanie Investment Zone" priority area. OAT is a newer organization that recently was accredited with the Land Trust Alliance, showing a recent third-party determination that the organization maintains high standards for fiscal responsibility, ethical conduct, strong governance, and perpetual stewardship.

OAT has an experienced staff and seems capable of managing this easement project. The Director and project lead have specific working lands conservation easement experience and familiarity with the NRCS. The stewardship team and monitoring practices are not well documented in the application related to the team experience, resources, and time available for long-term stewardship. Little detail was provided about staff responsibility for conservation easement stewardship. Given the backstop of LTA accreditation, concern about the organization's ability to complete and meaningfully steward the easement is reduced, but additional documentation, such as the organization's stewardship policy would be useful. OAT has three open OAHP conservation easement grants spread across two project managers. As noted in the application, OAT is becoming familiar with the process of working through OWEB's grant processes and the time needed to ensure project documents are consistent with OWEB/OAHP requirements.

The Stewardship Costs included in the application seem reasonable. OAT included a Long-Term Stewardship Costs Calculator that provided insight into expected project costs. The annual monitoring costs seem appropriate, based on the nature of the conservation easement. The project budget includes a contribution of $29,162 for the project endowment, proposed to be split evenly between OWEB funds and a landowner contribution. It is helpful that OAT has an established plan for acquiring the easement funds prior to closing. Confirmation from the landowner or an acceptable alternative will be requested to confirm the stewardship funding is adequately acquired in the appropriate timeframe.

***Project Soundness***

The proposed conservation easement structure appears straightforward, with OAT describing an intent to include some habitat "set aside" areas to balance the habitat needs of Columbia white-tailed deer and migratory birds with ongoing agricultural production in a manner that does not compromise the ongoing viability of the property for agriculture. The "set asides" are depicted within the maps accompanying the application, though it is unclear whether they will become "use zones" in the conservation easement deed or facilitated through the accompanying management plan. Regardless, these areas, along with the proposed building zones that will be within the easement deed, appear well thought out and unlikely to present unreasonable complications in easement administration. The proposed easement draft submitted is general, however, and not specific to the property's resources or the goals stated in the application. OAT states it intends to make project-specific alterations to the draft submitted and should be prepared to work closely and efficiently with OWEB staff, NRCS, and the landowner to ensure compatibility and agreement across each party's needs.

The property's title circumstances are complex and will require significant investment of time in researching, confirming, and resolving substantive issues. It does appear that OAT's familiarity with the project area due to title research underway for the Phase 1 project will benefit the resolution of issues related to this project. The legal descriptions for the individual parcels that will be included in the conservation easement need to be verified and title documentation will need to be updated based on the verified legal description for the conservation easement boundary, as the current title report appears to not include all property included on the boundary maps in the application.

Various mineral reservations and leases need to be further investigated to determine the appropriate path forward. This may include removal from title due to inaccurate mapping by the title company, a release or extinguishment, or if the former are impracticable, contract with a geologist to assess the mineral resource potential and determine if the likelihood of mineral extraction is so remote as to be negligible. Further research into the potential to subordinate financial encumbrances will be required as any anticipated proceeds from the sale of the conservation easement are unlikely to be result in the satisfaction of all financial encumbrances and subordination from various parties can be complicated and time consuming.

The project budget appears to capture the reasonable expectations related to standard due diligence items. In general, there is little concern that these issues would impact the ability for the applicant to complete the project within OWEB-required 24-month timeframe.

# Fall 2025 OWEB Grant Offering

## Oregon Agricultural Heritage Program

Conservation Covenants and Easements

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| **Application No.:** | 226-7102-24842 | **Project Type:** | Conservation Easement |
| **Project Name:** | Brewster Road Farm | | |
| **Applicant:** | Oregon Agricultural Trust | | |
| **Region:** | Willamette Basin | **County:** | Linn |
| **OWEB Request:** | $325,643 | **Total Cost:** | $593,716 |

## APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The 121-acre Brewster Road Farm is located in Linn County just four miles north of Lebanon, on the South Santiam River. It is central in ODFW's 'Santiam Confluences" Conservation Opportunity Area, which stretches from Sweet Home to Talbot. 2. This farm was the highest ranking Oregon NRCS ACEP Agricultural Land Easement program application for 2025 and was awarded $254,000 of secured matching funding in September. Oregon Agricultural Trust is seeking funding for the remaining half of the cost of the easement. With 97% prime farm soils, secure water rights, and investments in soil health and riparian habitat enhancement, this farm supports multiple criteria goals of the Oregon Agricultural Heritage Program. 3. The proposed work is purchasing a conservation easement with permanent protections for both the agricultural values and habitat zones along the South Santiam River and associated sloughs and wetlands. 4. Project partners are the USDA Natural Resources Conservation Service, who has obligated a matching contribution for the CE purchase, and Oregon Agricultural Trust.

## REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

### *Agricultural and Natural Resource Values*

Reviewers acknowledged the property consists of viable agricultural land, as demonstrated by the valuable soils present and the current utilization of the land in perennial cropping (hazelnuts). It is also likely that the soil is well drained, adding to the lands' ability to support a variety of crops. The hazelnut orchard demonstrates a significant agricultural investment.

The property itself, however, was not described as particularly significant for agriculture in the region from the standpoint of its size, nature, and location. Strong evidence was not provided that this property contributed to the long-term conservation of the region's agricultural land base.

The reviewers noted that this is one of many similar properties that is farmed along riparian corridors in the Willamette Valley. The vegetated buffer to protect the South Santiam River and the adjacent slough are relatively standard, though both the slough and the buffer are relatively small from a habitat perspective and not especially rare. The composition and age of the vegetated buffer are worth noting, yet fairly typical within the Willamette Greenway. The likely presence of Northwest Pond turtle in the slough was intriguing. Reviewers also noted that vegetated buffers are common and typically not proactively removed or converted due to riparian regulations pertaining to water quality and vegetation requirements.

***Agricultural and Natural Resource Outcomes***

The proposed working lands conservation easement appears appropriate to protect the identified agricultural and natural resource values on the property. However, reviewers noted that the property is not under any significant and immediate threat of conversion to non-agricultural uses or uses that would negatively impact the identified vegetation features. The reviewers recognized and appreciated the conservation goals, but ultimately determined the proposed conservation easement would provide limited uplift given the lack of threat and current protections. Reviewers noted that any near-term land sale would likely result in the property being acquired by another farmer.

The property is Willamette Valley EFU land (i.e., high value farmland), which reviewers noted have an added level of protection since non-farm dwellings are not allowed. In addition, the immediate location is not an area currently heavily threated by urbanization. The property's location along the South Santiam River makes it subject to certain regulations and land use planning goals that incentivize the maintenance of the riparian corridor (e.g., existing rules protecting water quality). This situation, along with an established perennial crop resulted in reviewers not seeing immediate threat of conversion or significant uplift presented by the proposed protections in the easement design. OAT's plan to develop a farm conservation easement management plan that incorporates the practices outlined the landowners NRCS's Conservation Stewardship Program (CSP) is commendable, demonstrating some level of commitment to integrated management between the natural resource values and agricultural outcomes. The presence of Northwest Pond Turtle was interesting, however, the limited scope of any habitat uplift was not overly compelling.

***Engagement and Maximizing Resources***

This project will utilize matching funds from Natural Resource Conservation Service ACEP ALE toward the acquisition cost of conservation easement. NRCS has partnered with the landowner on the property through the Conservation Stewardship Program. The application did not elaborate on the extent this property would build on any other agricultural or conservation investments in the larger community.

***Organizational Capacity***

Oregon Agricultural Trust (OAT) is a statewide agricultural land trust dedicated to partnering with farmers and ranchers to protect working lands in Oregon. This project fits in the organization's mission, which is to permanently protect agricultural land. OAT provided documentation of its articles of incorporation and bylaws that state that the corporation is organized: to ensure the protection and conservation of Oregon's agricultural land base, promote the stewardship of agricultural land as an asset critical to Oregon's economy, and help farmers and ranchers keep their land in agricultural production for future generations. OAT is a newer organization that recently was accredited with the Land Trust Alliance, showing a recent third-party determination that the organization maintains high standards for fiscal responsibility, ethical conduct, strong governance, and perpetual stewardship. Brewster Road Farm would be OAT's second conservation easement in Linn County within OAT's South Willamette focus region.

OAT has an experienced staff and seems capable of managing this easement project. The Director and project lead have specific working lands conservation easement experience and familiarity with the NRCS. The stewardship team and monitoring practices are not well documented in the application related to the team experience, resources, and time available for long-term stewardship; for example, little detail was provided about staff responsibility for conservation easement stewardship. Given the backstop of LTA accreditation, the concern regarding the organization's ability to complete and meaningfully steward the easement is reduced, but additional documentation, such as the organization's stewardship policy, would be useful. OAT has three open OAHP conservation easement grants, spread across two project managers. As noted in the application, OAT is becoming familiar with the process of working through OWEB's grant processes and the time needed to ensure project documents are consistent with OWEB/OAHP requirements.

The Stewardship Costs included in the application seem reasonable. OAT included a Long-Term Stewardship Costs Calculator that provided insight into expected project costs. The annual monitoring costs seem reasonable, based on the nature of the conservation easement. The capitalization rate is conservative. Thus, the stewardship fund calculation is logical. The project budget includes a contribution of $27,946 for the project endowment, proposed to be split evenly between OWEB funds and a landowner contribution. This approach is sound, and it is helpful that OAT has an established plan for acquiring the easement funds prior to closing. Confirmation from the landowner or an acceptable alternative will be requested to confirm the stewardship funding is adequately acquired in the appropriate timeframe.

***Project Soundness***

OAT is requesting funds to purchase a perpetual conservation easement on the property for the purpose of preserving the land for ongoing agricultural use. The property is well identified and described, and the location abutting a road, the river, and a slough likely minimizes the risk of overlaps or gaps in the legal description or the presence of encroachments. A boundary survey is probably not necessary, if a qualified professional verifies the legal description, and field inspections don't reveal any potential encroachments.

Title documentation appears relatively straightforward, with few concerning issues noted at this time. As OAT identified, one particularly complicated matter related to an easement granted to the Lebanon Water Control District that allows certain actions including tree/vegetation removal, topography modification, appropriating rock and soil from the property, and a right of access, which could all complicate conservation and vegetation goals identified in the application, potentially undermining the purposes of the easement. OAT's awareness of the challenge posed by this easement is beneficial. There is no obvious indication of a split estate (e.g., mineral leases, reservations) in the title report, which is helpful, especially if there is no mining or exploration in this area. Certain financial obligations will need to be subordinated.

OAT has listed standard due diligence items in the project timeline and budget. The proposed easement draft submitted is general, however, and not specific to the property's resources or the goals stated in the application. OAT states it intends to make project-specific alterations to the draft submitted and should be prepared to work closely and efficiently with OWEB staff, NRCS, and the landowner to ensure compatibility and agreement across each party's needs. The application describes several actions like "planting willows," extending the wooded buffer, "plan to permanently incorporate into the protections of the off-channel wetland area," working with the family on river access acres, etc., but it is not clear whether these would be aspirational (voluntary) or transactional (included as CE terms). Further, the application narrative simply states that the "negotiated" purchase price for the CE is $508,200. As there is not yet an easement draft specific to the property, and there is not yet an appraisal or purchase and sale agreement, the negotiated price could be quite different from estimated market value and the eventual appraised value or purchase price. OAT estimates of comparable land at "often greater than $20,000 per acre", putting the "before" or as-is value of the 121 acres at $2,420,000, and the CE (according to their diminution estimate) of between $484,000 - $605,000. The "negotiated" purchase price is within this range. This is a reasonable approach assuming the comparables are appropriately similar.

Overall, the applicant demonstrated a reasonable understanding of the due diligence needs for the project and the circumstances related to title that need further investigation. The timeline seems reasonable. Nothing was noted during review that presents significant concern that resolution and completion would be unlikely in the OWEB required 24-month timeline.

# Fall 2025 OWEB Grant Offering

## Oregon Agricultural Heritage Program

Conservation Covenants and Easements

| | | | |
|---|---|---|---|
| **Application No.:** | 226-7105-24845 | **Project Type:** | Conservation Easement |
| **Project Name:** | Aspen Valley Ranch: Heartbreak Tract | | |
| **Applicant:** | Deschutes Land Trust | | |
| **Region:** | Central Oregon | **County:** | Crook |
| **OWEB Request:** | $770,556 | **Total Cost:** | $1,477,167 |

### APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The proposed Aspen Valley Ranch, Heartbreak Tract Conservation Easement (Project or Property) is located in Crook County near Post, Oregon. The Project sits among other large ranches and public land in an undeveloped valley, consisting primarily of upland rangeland and valley-bottom cultivated farmlands, stretching from Post to Paulina, OR. This valley is an important wildlife corridor for pronghorn antelope, Rocky Mountain elk, and mule deer and includes winter range for the latter two species. The Project includes sage steppe habitat with areas of juniper woodlands as well as ponderosa pine and some mixed conifer stands in the lower Maury Mountains. The Nature Conservancy's report on Resilient Terrestrial Landscapes has identified most of the Project area as "more resilient" private land, which provides relatively high resiliency in the face of climate change. The area around Aspen Valley Ranch has been subject to conversion and fragmentation pressure for many years due to its proximity to Prineville and the relatively low proportion of private lands in Crook County. Evidence of this includes a nearby residential subdivision, and an increase in low-density residential development from the division of larger ownerships. Protection of this area from development is crucial to protecting habitat connectivity between the Ochoco and Maury Mountains and maintaining Crook County's agricultural community. Deschutes Land Trust (DLT) proposes to work with Aspen Valley Ranch, LLC (AVR) to implement a conservation easement on 2,397 acres of Aspen Valley Ranch, known as the Heartbreak Tract. This Project is Phase 3 of a 4-phase project that seeks to ease the entire 16,000-acre Ranch. Phase 1, the Butte Tract, was completed in 2019 and Phase 2, the Rim Tract is expected to be complete in Q1 2026. Project partners include Natural Resources Conservation Service, Rocky Mountain Elk Foundation, ODFW, Crook County SWCD and the Crooked River Watershed Council

### REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090 and 698-005-0045.

#### *Agricultural and Natural Resource Values*

The property presented for protection with a working lands conservation easement in this proposal is described as the third phase of a four-phase project seeking to protect the ranch's full 16,000 acres. Phase 1 was completed in 2019 and Phase 2 is currently in progress as a FY 23 OAHP working lands conservation easement grant. The potential for the protection of a 16,000-acre block of rangeland in the Post-Paulina valley is significant. However, the reviewers found the application materials lacked detail or depiction of how the phases fit together, the projected timeline and approach for all four phases, and the specific location of phase 4 relative to other phases. The application lacked context on the agricultural significance of this piece relative to the overall operation and the potential for connection with the irrigated land along the Crooked River. In the context of larger operation, reviewers deduced that the collective parts contributed to a self-sustaining land base for a viable cattle operation and noted that this is one of the most viable operations in the area. While reviewers recognized the unique value of the overall operation, the application did not make readily apparent the relative value of this piece independently, partly due to this phase focusing on dryland rather than being a mix of dryland and irrigated land.

The rangeland is acknowledged as in good condition given potential for degradation. The property appears to have above average rangeland characteristics, with perennial forb and grass coverage identified as 60%, which is better than average. Neither the soils nor the rangeland on this specific property could be characterized as “significant” on their own. Overall, reviewers concurred that collectively with the other parcels already protected and in the process of being protected, there is value in this property’s contribution to the long-term conservation of the region’s agricultural land base and its likely contribution to sustaining this working operation.

The value of the property to wildlife was well described and significant, both independently on this one tract and collectively with the full ranch’s land base. The geographic placement as it relates to seasonal migration for wildlife and its contribution of winter range for mule deer, elk, and pronghorn makes the property highly significant from a wildlife perspective, along with providing some sage-grouse habitat. The property provides a key linkage between the Ochoco and Maury mountains from a natural resource connectivity perspective. The property’s agricultural use as rangeland was noted as compatible with the specific wildlife uses identified on the property. A free-flowing section of Crooked River runs through the larger property, which is a significant both regionally and for the contribution of the water resources on this property. However, reviewers desired more information on possible protection of the lands adjacent to the river to better understand the long-term protection goals and confirm the likelihood that benefits of protecting irrigated land and rangeland together would be realized.

***Agricultural and Natural Resource Outcomes***

Reviewers concurred that the circumstances related to potential conversion of agricultural land to other uses in this specific region pose significant threat to the property. The Post-Paulina valley is experiencing substantial development of non-farm dwellings, interest in energy (primarily solar) development, and recreational development. There is a strong presence of absentee land ownership in which former rangeland is converted to primarily recreational use, following a trend demonstrated by nearby conversion in the Seneca area and near Ochoco and Prineville reservoirs. The Post-Paulina region—due to spill-over effect from increased pressure on the Bend-Redmond-Prineville area—and the property in particular—due to its location between the Maury and Ochoco Mountains as well, has a “bulls-eye” for development interest.

The proposed conservation easement would result in a single, large-acreage property that is likely to remain in agricultural use despite no affirmative obligation to do so. This would be accomplished by the easement specifically limiting or eliminating uses incompatible with perpetual agricultural use and the free movement of wildlife. Reviewers concurred that the easement would contribute to protecting the significant movement corridor during seasonal migration, and provide space for documented winter range for mule deer, elk, and pronghorn antelope, as rangeland and cattle use have been demonstrated here to be compatible with wildlife rather than displacing. This project demonstrates integrated management of agricultural use and significant wildlife needs. The application described the use of a management plan in conjunction with the conservation easement; this plan would include grazing prescriptions that seek to balance forage available for resident and transient wildlife with financially available livestock grazing and include riparian vegetation management goals.

Reviewers appreciated that the described juniper remediation has a benefit from a soil health perspective by increasing the likelihood of bringing the property back to an appropriate state to enhance the presence of desirable vegetation communities.

The review noted that each phase is separately eased and therefore could be conveyed separately. However, it was acknowledged that the income generated from these easements could potentially facilitate the likelihood that the ranch would continue to operate as one unit by allowing the landowner to capitalize on some of the property's value without having to liquidate any of the discrete parts.

***Engagement and Maximizing Resources***

The project builds upon additional investment in land conservation on the property, in the form of grant funds from the Natural Resource Conservation Service (NRCS) Agricultural Conservation Easement Program, NRCS support in developing grazing plans, grant funds to support juniper remediation, and previous OAHP grant award for the second phase of the easement project.

Reviewers noted the benefit of the intended outcome of 16,000 acres in total protected area by the phased project. However, the application could have provided a better picture of the full extent and timing of the funding contributed to this larger project to help reviewers understand the extent this piece builds upon prior phases and how the pieces fit together.

***Organizational Capacity***

DLT is a well-established organization with a history of conservation easement acquisition and stewardship. The proposed acquisition aligns with DLT's bylaws, mission, and service area, and the organization's Conservation Plan, which includes the preservation of working lands. DLT has actively worked to conserve private lands in the Post-Paulina Valley, where the project is located, for more than a decade. DLT provided documentation of accreditation from the Land Trust Alliance Accreditation Commission, valid through July 2032, which demonstrates a recent re-accreditation process that evaluated the organization's alignment with the Land Trust Alliance Standards and Practices. DLT provided substantial detail regarding its organizational approach to easement stewardship and monitoring. The monitoring includes a mix of "Annual and Ecological Monitoring" to determine adherence with the terms of the Conservation Easement as well as the Prescribed Grazing Plan that will be included in the project. Monitoring will include onsite inspections as well as the use of baseline photo points and aerial monitoring. Monitoring reports will document physical improvements and alterations to the property; changes in the location and condition of habitats and land cover; and past, present and future management activities. Reports will note follow-up actions such as corrective or restorative actions. This is based on industry standard approaches to conservation easement stewardship and represents a sound approach.

The application notes a total of 2 FTE that will be dedicated to this acquisition. Their Conservation Director has significant experience in conservation real estate and will lead the transaction, with due diligence support from their Conservation Manager. DLT has an experienced stewardship team that will handle stewardship of this easement, including general easement administration as well as enforcement. The applications notes a total of 3 FTE dedicated to this effort including a Stewardship Director, Stewardship Associate Director, and a Stewardship Manager, each having individually significant relevant experience. DLT has partnered with OWEB on more than half of their acquisitions and has two ongoing OAHP conservation easement projects. As a result, they are familiar and experienced with OWEB's grant-making processes and the requirements specific to the OAHP working lands conservation easement grants. DLT project staff have maintained consistent and transparent communication with OAHP staff regarding the progress of open grants and items that impact project timelines.

The stewardship calculator included with the application outlines a thorough list of anticipated easement administration and enforcement activities, including both annual and periodic costs. Based on these estimated costs, the total contribution to the principal of their Stewardship Endowment would need to be $118,736, which is based on an anticipated annual investment return of 4.5% net of inflation. Stewardship funding needs were provided with more detail, with a detailed calculator sheet showing a thorough list of anticipated easement administration and enforcement activities, including both annual and periodic costs that appear reasonable for the proposed easement. There is no indication about how DLT intends to secure the identified contribution, though documents submitted with the application show a current organizational Endowment balance of $3.8 million, which is likely adequate to meet the stewardship needs of this property regardless of whether DLT can raise the full amount prior to closing.

***Project Soundness***

DLT is requesting funds to purchase a perpetual conservation easement on the property for the purpose of preserving the land for ongoing agricultural use. The Property Map included with the application depicts the boundary of the proposed conservation easement, though as the easement will encumber a portion of the landowners larger land holdings in the vicinity, the title documentation includes substantially more property than the proposed conservation easement. As a result, there is a discrepancy between the legally described project property and the mapped easement boundary. A Title Report specific to this transaction is needed to clarify the easement boundary, project acreage, and the applicability of various title encumbrances.

Certain title matters, such as severed mineral interests and severed timber rights will need to be addressed. Based on prior mineral assessments completed by DLT in the general vicinity of this property, DLT assumes the risk of subsurface exploration and/or development is low. No mineral assessment has been performed specific to this property, however, so it is premature to conclude that the risk is so remote as to be negligible. The severed rights will need to be addressed specifically as they relate to this proposed project. Similarly, the severed timber rights in multiple documents warrant further investigation, as there is no evidence or explanation provided by the applicant that the timber rights have been quitclaimed or otherwise reunited with the underlying fee title. DLT did not provide a detailed plan for this, so it is unclear if or how resolving this matter may impact the project timeline.

In general, the project timeline has all the appropriate due diligence elements, though certain matters may take more time than anticipated upon further due diligence investigation (see discussion of mineral and timber reservations above). Additionally, the draft Deed of Conservation Easement that was included with the application materials was not specific to the proposed property, rather from a previous phase of the project. Easement terms specific to the property and the resources and the protections identified in the application may take significant time to develop and negotiate. As per the applicant, there are no boundary discrepancies or encroachments, and if the legal description for the easement boundary specific to the proposed project is updated in a manner that can be verified by a qualified expert, then a boundary survey is unlikely to be necessary. It was prudent of the applicant to include surveyor funds in its project budget.

Documentation was provided demonstrating the property has sufficient legal and physical access for monitoring and stewardship needs. Legal access is demonstrated from multiple locations along Newsome Creek Road and Kloochman Creek Road, both of which are public roads. The application also notes the property is also accessed by way of a dirt road from adjacent USFS land, though it is unclear if there is a formalized legal right of access associated with this road. Interior physical access is possible by a network of dirt roads, two-tracks and other seasonal vehicular trails.

The applicant's estimated value of the proposed conservation easement at $1,300,000 is based upon comparable easements in the vicinity of the proposed project including Phase I of the Aspen Valley

Ranch project. This is a reasonable approach assuming the comparable easements (including Aspen Valley Ranch Phase I) are reasonably similar (e.g., size, land cover, access).

Overall, the applicant demonstrated a reasonable understanding of the due diligence needs for the project and the circumstances related to title matters that need further investigation and resolution. Nothing was noted during review that presents significant concern that resolution and completion would be unlikely in the OWEB required 24-month timeline.

# Oregon Agricultural Heritage Program

**March 19, 2026** Oregon Agricultural Heritage Commission Meeting

Tina Kotek, Governor

The following table shows the review team ranking of each OAHP Conservation Easement grant application. The review team generally found that all of the following projects were "qualified" in terms of meeting basic OAHP CE program requirements and thresholds. The staff report for this agenda item describes some of the qualities of the higher vs. lower ranked applications.

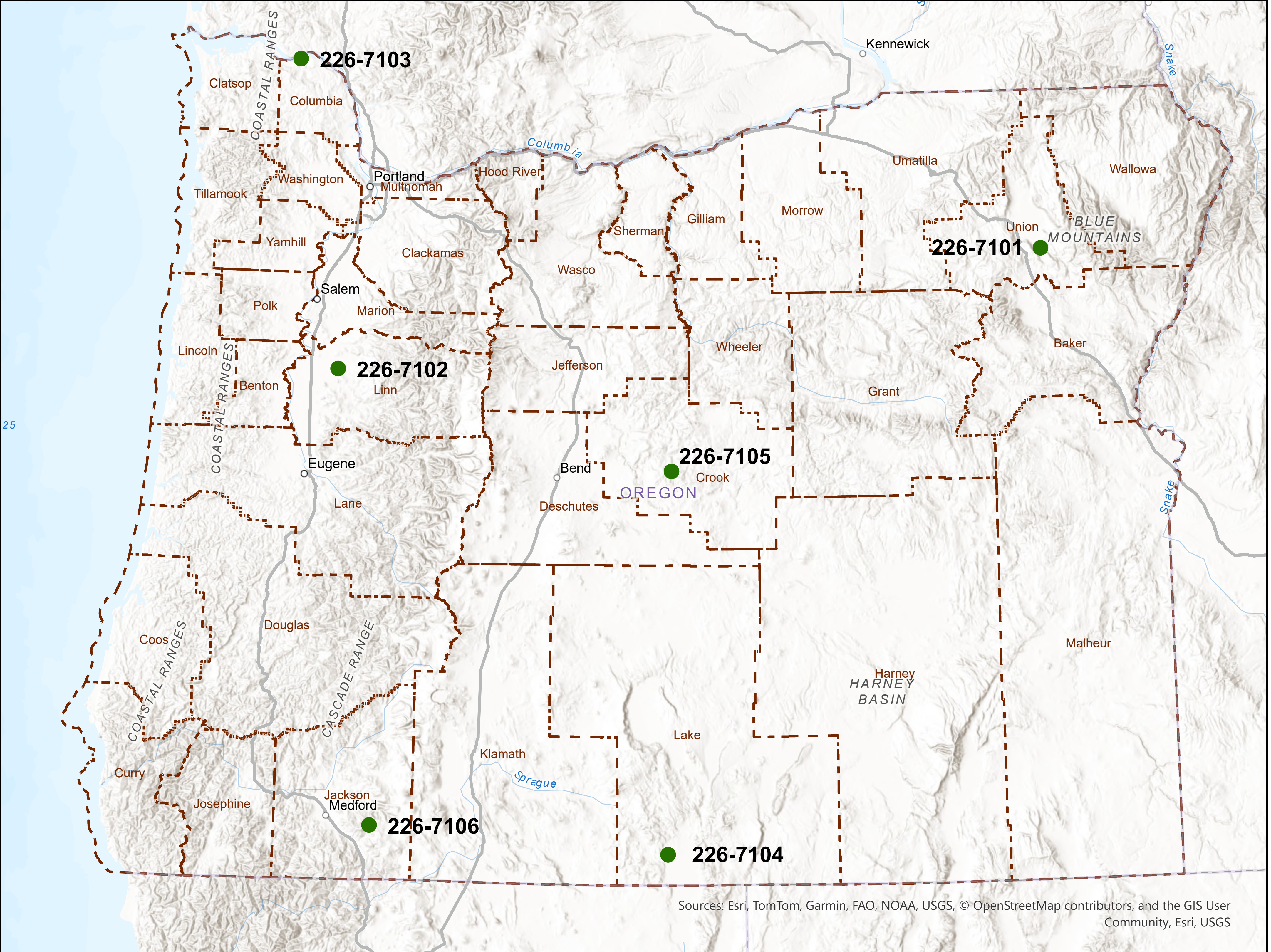
The table shows the amount requested for each project, and in the far right hand column, the total amount of grant funds that would be cumulatively committed depending on the location of the funding line.

| *Rank* | *App #* | *Application Name* | *Applicant* | *OWEB Request** | *Running Total Request* |
|---|---|---|---|---|---|
| **1** | 226-7103-24841 | Seely Farms Phase 2 | Oregon Agricultural Trust | $408,702 | $408,702 |
| **2** | 226-7104-24840 | Ginochio Ranch | Oregon Agricultural Trust | $428,042 | $836,744 |
| **3** | 226-7105-24845 | Aspen Valley Ranch: Heartbreak Tract | Deschutes Land Trust | $770,556 | $1,607,300 |
| **Recommended Funding Line** | | | | | |
| **4** | 226-7106-24839 | Willow-Witt Ranch Conservation Easement | Pacific Forest Trust | $546,000 | |
| **5** | 226-7101-24836 | Union Orchards Conservation Easement | Blue Mountain Land Trust | $296,759 | |
| **6** | 226-7102-24842 | Brewster Road Farm | Oregon Agricultural Trust | $325,643 | |
| | | | **GRAND TOTAL:** | **$2,775,702** | |
| | | | **Spending Plan Target:** | $1,760,000 | |

*Final OWEB request numbers will be adjusted based on review by OWEB's fiscal staff, adjusting indirect costs as necessary. Ultimately, this is expected to result in very modest increases to the request amounts.

Attachment C

# Oregon Agricultural Heritage Program 2026 Grant Applications




OAHP Applications

Counties

OREGON WATERSHED ENHANCEMENT BOARD

775 Summer St, NE Suite 360
Salem, OR 97301-1290
(503) 986-0178
https://www.Oregon.gov/OWEB/

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Oregon
Tina Kotek, Governor

OREGON AGRICULTURAL HERITAGE PROGRAM

775 Summer Street NE, Suite 360
Salem OR 97301-1290
www.oregon.gov/oweb
(503) 986-0178

**March 19, 2026** Oregon Agricultural Heritage Commission Meeting
**Staff report – Agenda Item D. Draft Scoring Rubric**

## MEMORANDUM

**To:** Oregon Agricultural Heritage Commission (OAHC)
**From:** Taylor Larson, Oregon Agricultural Heritage Program Coordinator (OAHP)
Robin Meacher, OAHP Conservation Easement Specialist
Renee Davis, OWEB Acquisitions and Special Programs Manager

### Introduction

This staff report provides the commission background information pertaining to the potential adoption of an evaluation scoring rubric for use in future Oregon Agricultural Heritage Program (OAHP) Working Land Conservation Covenant and Easement Grant solicitations. This report also includes a description of the process to develop the draft rubric provided in Attachment A.

### Conservation Covenants and Easements – Scoring Rubric

Grant applicants, the Commission, and some reviewers on the OAHP technical committee that reviews grant applications expressed interest in OAHP developing and utilizing a scoring rubric in coordination with the evaluation criteria in administrative rule to better communicate and understand why projects fall in a certain ranked order. At the December 2025 meeting of the OAHC, staff were asked to develop a draft scoring rubric that considers commissioner feedback provided in an anonymous survey (Attachment B) developed by staff to gauge commissioner's opinion of the weight each evaluation criteria should bear on an application's success. These evaluation criteria are codified in administrative rules for the program (OAR 698-015-0090).

In developing the scoring rubric, staff also considered the program's statute and rules. The program's statutes provide the authority to use OAHP funds to fund the purchase of working lands conservation covenants or easements for the "purpose of ensuring the continued use of the land for agricultural purposes while maintaining or enhancing fish or wildlife habitat, improving water quality or supporting other natural resource values on the land." (ORS 541.982(1). This purpose is reflected in the evaluation criteria described in statute and further developed in administrative rule, that require applications to address how the project will benefit agricultural needs and fish and wildlife benefits.

Similarly, staff considered the OWEB Board's climate evaluation criteria that apply to all OWEB administered programs including OAHP. These climate criteria also are codified in administrative rule and were adopted by the board after a multi-year process to create a climate resolution and, subsequently, rules (OAR 698-005-0045).

Part of the OAHC's role is to recommend policies and priorities for use by the OWEB board in evaluating both the farm or ranch values and the fish or wildlife habitat, water quality or other natural resource values on working lands in applications for funding under the working lands conservation easement and covenant offering (ORS 541.989(1)(c). In addition, the commission is charged with recommending to the OWEB Board rules for the administration of all OAHP programs. The proposed scoring rubric is intended to provide greater clarity and transparency about weighting of the evaluation criteria that are adopted in rule.

At the February meeting, commission members and staff discussed the importance of creating a throughline from statute to rule to the proposed scoring rubric to ensure alignment with program intent and OWEB grantmaking expectations. The commission provided input and feedback on the draft scoring criteria which has not yet resulted in any changes in scores but did lead to staff developing additional language around definitions of scoring considerations ranges c (Attachment A) and a document that places each criterion and its associated score into one of seven buckets (Attachment C).

At the March meeting, staff will continue facilitating a discussion about the draft rubric. If time allows, and discussion is approaching consensus regarding content of the rubric, staff will request the commission adopt the scoring rubric for use during future conservation covenant and easement grant solicitations when funding is again allocated to OAHP.

## Recommendation

If time allows, and discussion is approaching consensus regarding content of the rubric, staff recommend the Commission consider adopting the scoring rubric, as amended March 19, 2026, for use in the next OAHP CE grant solicitation review process.

## Attachment(s)

A. Draft Scoring Rubric
B. Survey Results
C. Criteria Buckets

***Item C, Attachment A. Draft Scoring Rubric v.3***

*Staff Note:*

*Application review criteria that are directly in statute are highlighted. All application review criteria listed below are in Oregon Administrative Rules for the OAHP program. Many evaluation criteria were developed with sub-criteria that provided additional detail to consider in evaluation. For those evaluation criteria, applications will be reviewed on how well the applicant addresses the sub criteria.*

*For those criteria that do not have sub-criteria that elaborate on the factors to consider in evaluation, staff developed score ranges based on previous feedback from technical review team members, general understanding of the meaning behind the criteria, and commissioner comments.*

*All applications will be evaluated on how much specific detail and evidence is provided to support assertions made by applicants and the extent those assertions are specific to the property and the project proposed.*

1) The regional significance of the agricultural, natural resource, and related social values of the working land that will be subject to the Working Land Conservation Covenant or Working Land Conservation Easement **(20 points)**

> (a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability; **(1-5 points)**
>
> (b) The land's contribution to long-term conservation of the region's agricultural land base; **(1-5 points)**
>
> (c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; **(1-5 points)**
>
> (d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values. **(1-5 points)**

(2) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain, or enhance farming or ranching on the working land **(20 points)**

> (a) Reducing the potential for future conversion or fragmentation of the property and surrounding working land; **(1-10 points)**

**1- 3 points** There is some discussion of the approaches the project will take to address the potential for future conversion or fragmentation of the property and surround working land.

**4-7 points** There is extensive discussion and evidence provided of the specific approaches the project will take to address the potential for future conversion or fragmentation of the property and surround working land.

**8-10 points** There is extensive discussion and evidence provided of the specific approaches the project will take to address the potential for future conversion or fragmentation of the property and surround working land **AND** the application clearly describes how the proposed conservation easement will address the issue.

(b) Maintaining or enhancing the ability of the land to be in productive agricultural use that supports a viable agricultural operation. **(1-10 points)**

**1- 3 points** There is some discussion of the approaches the project will take to maintain the ability of the land to be in productive agricultural use.

**4-7 points** There is extensive discussion and evidence provided of the specific approaches the project will take to enhance the ability of the land to be in productive agricultural use that supports a viable agricultural operation.

**8-10 points** There is extensive discussion and evidence provided of the specific approaches the project will take to enhance the ability of the land to be in productive agricultural use that supports a viable agricultural operation **AND** the application clearly describes how the proposed conservation easement will address the issue.

(3) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain or enhance significant fish or wildlife habitat, water quality or other natural resource values **(16 points)**

(a) Protecting, maintaining, or improving the quality and connectivity of plant or wildlife habitat on and around the working land; **(1-8 points)**

**1- 2 points** There is some discussion of the approaches the project will take to protect or maintain the quality and connectivity of plant or wildlife habitat on and around the working land.

**3-5 points** There is extensive discussion and evidence provided of the specific approaches the project will take to protect, maintain, and enhance significant plant or wildlife habitat on and around the working land.

**6-8 points** There is extensive discussion and evidence provided of the specific approaches the project will take to protect, maintain, and enhance significant plant or wildlife habitat on and around the working land **AND** the application clearly describes how the proposed conservation easement will address the issue.

(b) Utilizing land stewardship practices that maintain or enhance soil health. **(1-8 points)**

**1- 2 points** There is some discussion of the approaches the project will take to promote land stewardship practices that maintain soil health.

**3-5 points** There is extensive discussion and evidence provided of the specific approaches the project will take to promote land stewardship practices that maintain and enhance soil health.

**6-8 points** There is extensive discussion and evidence provided of the specific approaches the project will take to promote land stewardship practices that maintain and enhance soil health **AND** the application clearly describes how the proposed conservation easement will address the issue.

(4) The extent to which the project supports the integrated management, maintenance or enhancement of the agricultural and natural resource values on the working land. **(9 points total)**

**1- 3 points** There is some discussion of the specific approaches the project will address integrated management, maintenance or enhancement of the specific resources that support the stated agricultural and natural resource values on the property.

**4-6 points** There is extensive discussion and evidence provided of the specific approaches the project will utilize to address integrated management, maintenance or enhancement of the specific resources that support the stated agricultural and natural resource values on the property.

**7-9 points** There is extensive discussion and evidence provided of the specific approaches the project will utilize to address integrated management, maintenance or enhancement of the specific resources that support the stated agricultural and natural resource values on the property **AND** the applicant will include the specific stewardship practices in the terms of the conservation easement.

(5) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect agricultural outcomes or benefits from other related investments. **(9 points)**

**1-3 points** Benefits or outcomes are mentioned, but not described in any specific detail

**4-6 points** Benefits or outcomes are described and applicant makes reference to specific detail supporting the assertion of the outcomes

**7-9 points** Multiple benefits or outcomes are well described, applicant makes specific reference to the detail supporting the assertion of the outcomes AND provides supporting evidence relative to the proposed or demonstrated benefits

(6) The capacity and competence of the applicant and the proposed Working Land Conservation Covenant or Working Land Conservation Easement holder to purchase, accept, implement, hold, monitor, steward, and enforce a Working Land Conservation Covenant or Working Land Conservation Easement **(15 points)**

(a) Accreditation from the Land Trust Accreditation Commission, or implementation of standards and practices that are similar to an organization that is eligible for accreditation; **(1-4 points)**

(b) Inclusion of working land preservation in the organization's mission, vision or other organizational documents; **(1-3 points)**

(c) The financial capability of the organization to steward conservation Working Land Conservation Covenants or Working Land Conservation Easements over time; **(1-3 points)**

(d) Demonstrated relevant commitment, ability, expertise, and track record to purchase, accept, implement, hold, monitor, steward, and enforce Working Land Conservation Covenant or Working Land Conservation Easement or other relevant projects. **(1-5 points)**

(7) The extent to which the benefit to the state from the investment may be maximized **(10 points)**

(a) The ability to leverage grant moneys with other funding sources; **(1-3 points)**

(b) The duration and extent of the agreement, with a preference for longer term agreements; **(1-3 points)**

(c) The cumulative effect of similar conservation or agricultural investments in the community, including other OAHP funded plans, covenants, or easements; **(1-2 points)**

(d) Consistency with local comprehensive plans and statewide planning goals. **(1-2 point)**

(8) The extent and nature of the impacts of the Working Land Conservation Covenant or Working Land Conservation Easement on owners or operators of neighboring lands. **(3 points)**

**1 point** The application states whether there will be impacts and the extent of those impacts to owners and operators of neighboring lands

**2 points** The application provides evidence to support the characterization of the impacts and nature of the impacts to owners or operators of neighboring lands

**3 points** The application provides evidence of positive impacts to owners or operators of neighboring lands

(9) The extent to which project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes. **(7 points)**

**1-3 point** The application includes statements of benefits from the community and Tribes.

**4-5 points** The application includes a description of the engagement with local communities and Tribes and specific details on the anticipated benefits

**6-7 points** The application includes detailed description of the engagement with local communities and Tribes and specific details on the anticipated benefits *directly* related to the *specific project*

(10) The level of threat of conversion or fragmentation of the working land. **(12 points)**

**1-4 points** Low likelihood it will be converted to a use other than agriculture or fragmented from its existing configuration in a manner that degrades is suitability for agriculture and natural resources within the next five to ten years.

**5-8 points** Medium likelihood it will be converted to a use other than agriculture or fragmented from its existing configuration in a manner that degrades is suitability for agriculture and natural resources within the next five to ten years AND specific detail is provided to demonstrate that likelihood, such as specific land use trends in the immediate vicinity, potential sale of the property, succession planning needs

**9-12 points** Strong likelihood it will be converted to a use other than agriculture or fragmented from its existing configuration in a manner that degrades is suitability for agriculture and natural resources within the next five to ten years AND specific detail is provided to demonstrate that likelihood, such as specific land use or development proposals directly affecting the specific property, immediate potential sale of the property to a non-agricultural landowner, immediate succession concerns

(11) The soundness of the legal and financial terms of the proposed real estate transaction. **(15 points)**

**1-5 points** Application materials lack evidence to support the transaction details are thoroughly mapped out, vetted, and will result in the successful completion of the proposed project within the 24-month timeline required in administrative rule

**6-10 points** Application materials reasonably identify issues that need additional resolution and appropriately maps the path toward resolving issues within the 24-month timeline required in administrative rule

**11-15 points** Application materials demonstrate there few outstanding issues to resolve and the typical transaction steps can be completed within the 24-month timeline required in administrative rule

**Climate Criteria from 698-005-0045 (9 points)**

(1) How engagement with, and input from, local communities disproportionately impacted by climate change has informed or will inform the project. **(1-3 points)**

(2) How changing climate conditions are incorporated into the project and how the project will contribute to durable adaptation and resilience for ecosystems, including human communities. **(1-3 points)**

(3) How consideration of greenhouse gas emissions or long-term carbon sequestration or storage has informed the project. **(1-3 points)**

## Responses Overview

Active

| Responses | Average Time | Duration |
|---|---|---|
| 8 | 12:07 | 23 Days |

1. (1) The regional significance of the agricultural, natural resource, and related social values of the working land that will be subject to the Working Land Conservation Covenant or Working Land Conservation Easement, including:(a) The potential viability of the property for agriculture, including but not limited to soil types, suitability for producing different types of crops, and water availability;(b) The land's contribution to long-term conservation of the region's agricultural land base;(c) The regional significance of the agricultural operation based on location, its associated infrastructure, and other relevant factors including supporting agricultural values important to the region; and (d) Supporting implementation of local, regional, state, federal or Tribal priorities and plans that support fish or wildlife habitat, water quality or other natural resource values.

| | |
|---|---|
| Promoters | 5 |
| Passives | 3 |
| Detractors | 0 |


2. (2) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain, or enhance farming or ranching on the working land, including:(a) Reducing the potential for future conversion or fragmentation of the property and surrounding working land; and(b) Maintaining or enhancing the ability of the land to be in productive agricultural use that supports a viable agricultural operation.

| | |
|---|---|
| Promoters | 8 |
| Passives | 0 |
| Detractors | 0 |


3. (3) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect, maintain or enhance significant fish or wildlife habitat, water quality or other natural resource values, including:(a) Protecting, maintaining, or improving the quality and connectivity of plant or wildlife habitat on and around the working land; and (b) Utilizing land stewardship practices that maintain or enhance soil health.

| | |
|---|---|
| Promoters | 2 |
| Passives | 3 |
| Detractors | 3 |

4. (4) The extent to which the project supports the integrated management, maintenance or enhancement of the agricultural and natural resource values on the working land.

| | |
|---|---|
| Promoters | 1 |
| Passives | 3 |
| Detractors | 4 |


5. (5) The extent to which the Working Land Conservation Covenant or Working Land Conservation Easement would protect agricultural outcomes or benefits from other related investments.

| | |
|---|---|
| Promoters | 2 |
| Passives | 2 |
| Detractors | 4 |


6. (6) The capacity and competence of the applicant and the proposed Working Land Conservation Covenant or Working Land Conservation Easement holder to purchase, accept, implement, hold, monitor, steward, and enforce a Working Land Conservation Covenant or Working Land Conservation Easement, including:(a) Accreditation from the Land Trust Accreditation Commission, or implementation of standards and practices that are similar to an organization that is eligible for accreditation;(b) Inclusion of working land preservation in the organization’s mission, vision or other organizational documents;(c) The financial capability of the organization to steward conservation Working Land Conservation Covenants or Working Land Conservation Easements over time; and(d) Demonstrated relevant commitment, ability, expertise, and track record to purchase, accept, implement, hold, monitor, steward, and enforce Working Land Conservation Covenant or Working Land Conservation Easement or other relevant projects.

| | |
|---|---|
| Promoters | 2 |
| Passives | 5 |
| Detractors | 1 |


7. (7) The extent to which the benefit to the state from the investment may be maximized, based on:(a) The ability to leverage grant moneys with other funding sources;(b) The duration and extent of the agreement, with a preference for longer term agreements;(c) The cumulative effect of similar conservation or agricultural investments in the community, including other OAHP funded plans, covenants, or easements; and(d) Consistency with local comprehensive plans and statewide planning goals.

| | |
|---|---|
| Promoters | 2 |
| Passives | 2 |
| Detractors | 4 |

8. (8) The extent and nature of the impacts of the Working Land Conservation Covenant or Working Land Conservation Easement on owners or operators of neighboring lands.

| | |
|---|---|
| Promoters | 0 |
| Passives | 0 |
| Detractors | 8 |


9. (9) The extent to which project will benefit the local area, as evidenced by engagement with and support from the local community and Tribes.

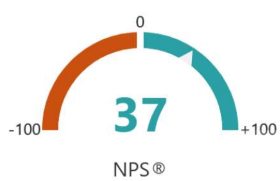
| | |
|---|---|
| Promoters | 0 |
| Passives | 3 |
| Detractors | 5 |


10. (10) The level of threat of conversion or fragmentation of the working land.

| | |
|---|---|
| Promoters | 3 |
| Passives | 3 |
| Detractors | 2 |


11. (11) The soundness of the legal and financial terms of the proposed real estate transaction.

| | |
|---|---|
| Promoters | 4 |
| Passives | 3 |
| Detractors | 1 |



12. (1) How engagement with, and input from, local communities disproportionately impacted by climate change has informed or will inform the project.

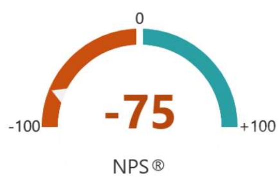
| | |
|---|---|
| Promoters | 0 |
| Passives | 1 |
| Detractors | 7 |


13. (2) How changing climate conditions are incorporated into the project and how the project will contribute to durable adaptation and resilience for ecosystems, including human communities.

| | |
|---|---|
| Promoters | 0 |
| Passives | 2 |
| Detractors | 6 |


14. (3) How consideration of greenhouse gas emissions or long-term carbon sequestration or storage has informed the project.

| | |
|---|---|
| Promoters | 0 |
| Passives | 2 |
| Detractors | 6 |



**Attachment C. Criteria Buckets**

| **Criteria** | **Agricultural Values** | **Ecological Values** | **Community Impacts** | **Applicant Capacity** | **Transaction Soundness** | **Match & Duration** |
|---|---|---|---|---|---|---|
| 1(a) | 5 | | | | | |
| 1(b) | 5 | | | | | |
| 1(c) | 5 | | | | | |
| 1(d) | | 5 | | | | |
| 2(a) | 10 | | | | | |
| 2(b) | 10 | | | | | |
| 3(a) | | 8 | | | | |
| 3(b) | | 8 | | | | |
| 4 | 4.5 | 4.5 | | | | |
| 5 | 9 | | | | | |
| 6(a) | | | | 4 | | |
| 6(b) | | | | 4 | | |
| 6(c) | | | | 3 | | |
| 6(d) | | | | 5 | | |
| 7(a) | | | | | | 3 |
| 7(b) | | | | | | 3 |
| 7(c) | | | 2 | | | |
| 7(d) | | | 2 | | | |
| 8 | | | 3 | | | |
| 9 | | | 7 | | | |
| 10 | 6 | 6 | | | | |
| 11 | | | | | 15 | |
| CC1 | | | 3 | | | |
| CC2 | | | 3 | | | |
| CC3 | | 3 | | | | |
| **Totals** | **54.5**(37%) | **34.5**(24%) | **20**(14%) | **16**(11%) | **15**(10%) | **6**(4%) |

* Total Points = **146**