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Testimony on SB 204, including the -1 Amendment Senate Environment and Natural Resources Committee

Chair Edwards, members of the Committee:

Thank you for the opportunity to testify on SB 204 today. First, we understand that the committee is primarily considering the -1 amendment to SB 204 today. Before we provide input on the -1 amendment, we want to let you know that SB 204 as originally introduced is a good bill from our perspective that takes a proactive approach to protecting working farmland from development and other threats. SB 204 would provide needed new tools at the state level to keep working farmland in agriculture. These tools, in addition to contributing to conservation activities on farmland, could help with farm succession, a key issue as the average age of primary farm operators in Oregon has now reached 60 years old, even as younger farmers find significant obstacles in acquiring farmland and sustaining farm businesses.

In particular, ‘working lands conservation easements’ (described in ORS 271.715) are an underutilized tool to protect farmland and contribute to conservation benefits in Oregon, which SB 204 as introduced would help rectify. Oregon does not currently have a coordinated state program that uses working lands conservation easements to protect working landscapes. As Oregon’s population increases substantially in coming decades, and as the average age of Oregon farmers continues to rise, Oregon needs to engage in a coordinated effort to help protect farmland from development threats and from consolidation into larger holdings, while making it easier for family-scale agriculture to continue to remain viable. Working lands conservation easements can assist in succession planning and business expansion by generating liquidity while preserving farm operations intact and ensuring that land is used for farming for the long term.

Regarding the -1 amendment, it appears that the ‘Task Force on Working Farms and Forests’ would be asked to take up a number of important questions, potentially providing the basis for future state action. These questions include: studying the patterns and rates of conversion of working farms and forestland to other uses; studying conflicts between working farms and forests and other uses; studying and evaluating tools for state government to help private landowners maintain land as active working farms or forests while accomplishing conservation benefits on those lands, including through ‘easements, tax incentives, grants and loans;’ and, identifying challenges regarding farm and forest succession. While we support SB 204’s original approach, we hope that the Task Force created through the -1 amendment will lay the groundwork for more ambitious state action on the use of working lands conservation easements, grants, loans and other activities to help protect working lands, enable farm succession, and support a newer generation of family-scale farmers in getting started and succeeding.

With regard to the Clean Water Fund established in the -1 amendment, it is unclear how this would differ from existing OWEB programs that support conservation work intended to benefit water quality. In order to help make this program distinct from existing programs and more impactful, we would suggest giving priority for projects that not only enhance water quality, but which are also used to prevent the conversion of farms to non-farm uses, including through permanent working lands conservation easements.

Thank you for your consideration of this important bill.