

TESTIMONY: GRANT COUNTY FARM BUREAU

SB 644

Senate Environment and Natural Resources Committee

March 29, 2017

Chair Dembrow and Members of the Committee:

Grant County Farm Bureau writes today to express concern over the land use changes proposed by SB 644. We are concerned that the changes will reduce the ability of farmers and ranchers in our county to raise concerns at the local level about negative impacts from mining projects that are proposed to be sited in the County. We ask the Committee not to change current law, which has been allowing mining while ensuring that impacts to neighboring farms and ranches are taken into account.

We want to start by saying that we support the mining industry and welcome additional mining in our county. We think it will bring much-needed revenue and jobs into our county and we look forward to working with the mining interests to develop the mining industry in our county. However, agriculture is the life-blood of Grant County. With over \$25 million in economic value as of 2012, agriculture is the economic driver of the County.

When a mine is going in next to a farm or a ranch, there is some potential for conflicts if the mining operation is not structured correctly. The county land use process gives farmers and ranchers a vehicle to raise those concerns and ensure they are addressed before the project moves forward. SB 644 would remove neighboring farmer and ranchers' ability to raise concerns about the impacts of a new mine on their operations on lands zoned for exclusive farm use.

Currently, Oregon law requires that any proposed mining project receive county approval when it is located on land zoned for exclusive farm use. As part of this process, the county must find that the project will not significantly increase the cost of nearby agricultural operations or force a significant change on those operations. If the county finds that there are impacts to farmland, the county will require the mining operation to mitigate those impacts. If the impact cannot be mitigated or the operation won't agree to the mitigation, the permit would not be granted. However, in Grant County, denial of a mining permit is extremely rare. **In fact, of the 25 mining and aggregate projects proposed since 1997, 23 were granted land use approval by the County – a success rate of 92%.**

Under the base bill, mining would become an "outright permitted use" on land zoned for exclusive farm use, which means that the county would not impose any conditions on the use and mining would be allowed without any county land use findings. The -3 amendments would create an entirely new set of criteria for evaluating mining applications than exist for any other use allowed on farm zoned property in the state. These criteria set a concerning precedent, and completely ignore any potential impact from the mine on neighboring farm and ranch land, despite the fact that the underlying land is zoned for exclusive farm use.

While the operation would still be required to get all required state and federal permits, including the permit from DOGAMI and any other permits triggered by the type of operation, these permits do not address impacts to agriculture, and will not ensure that mining operations will not impact farms and ranches.

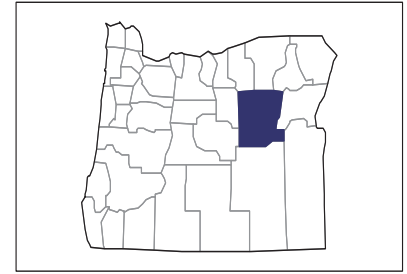
We are also concerned about the -3 amendments creating a new “right to mine” provision that would ban nuisance or trespass actions for mines that comply with their required permits. As discussed above, this bill would remove the ability of farmers and ranchers to raise concerns about impacts from mining on their operations through the land use process, meaning farmers would be unprotected by state and local permits. The right to mine law would then eliminate any ability they have to seek recourse for any damages the mine causes to their agricultural operations. The statute has no provision that provides for lawsuits for damage to commercial agricultural products or for physical injury. It is not tied to the zoning of the property. We are concerned that this protection is overly broad, and risks causing further harm to impacted farms and ranches.

Thank you for the opportunity to submit comments on SB 644. We hope you can address our concerns in the legislation, and we look forward to working with the mining industry to help them establish in our county in a manner that ensures that both our industries will be productive into the future.

Sincerely,

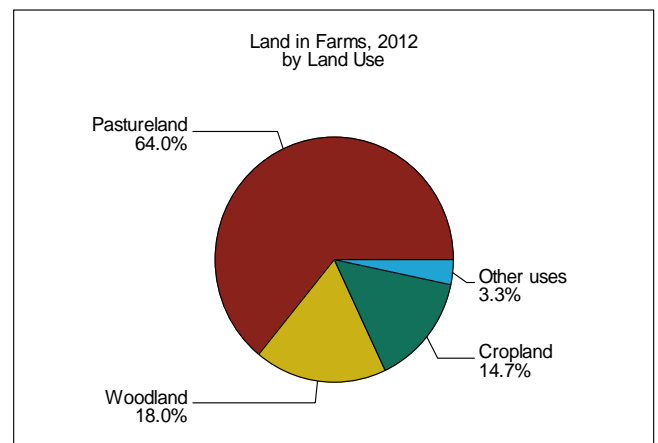
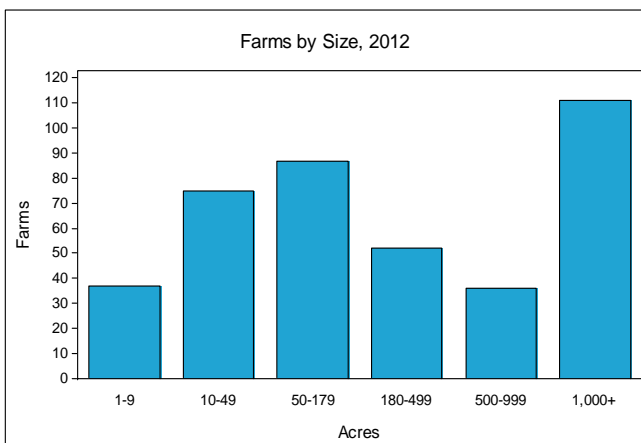
A handwritten signature in black ink, appearing to read 'Jeff Thomas', with a long horizontal flourish extending to the right.

Jeff Thomas
President, Grant County Farm Bureau



Grant County Oregon

	2012	2007	% change
Number of Farms	398	398	0
Land in Farms	656,410 acres	761,541 acres	- 14
Average Size of Farm	1,649 acres	1,913 acres	- 14
Market Value of Products Sold	\$25,360,000	\$18,342,000	+ 38
Crop Sales \$5,661,000 (22 percent)			
Livestock Sales \$19,699,000 (78 percent)			
Average Per Farm	\$63,718	\$46,085	+ 38
Government Payments	\$900,000	\$284,000	+ 217
Average Per Farm Receiving Payments	\$15,252	\$7,481	+ 104





Grant County – Oregon

Ranked items among the 36 state counties and 3,079 U.S. counties, 2012

Item	Quantity	State Rank	Universe ¹	U.S. Rank	Universe ¹
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD (\$1,000)					
Total value of agricultural products sold	25,360	30	36	2,239	3,077
Value of crops including nursery and greenhouse	5,661	32	36	2,367	3,072
Value of livestock, poultry, and their products	19,699	21	36	1,630	3,076
VALUE OF SALES BY COMMODITY GROUP (\$1,000)					
Grains, oilseeds, dry beans, and dry peas	(D)	(D)	33	(D)	2,926
Tobacco	-	-	-	-	436
Cotton and cottonseed	-	-	-	-	635
Vegetables, melons, potatoes, and sweet potatoes	3	34	35	2,716	2,802
Fruits, tree nuts, and berries	(D)	21	34	(D)	2,724
Nursery, greenhouse, floriculture, and sod	20	31	32	2,426	2,678
Cut Christmas trees and short rotation woody crops	32	15	29	598	1,530
Other crops and hay	4,736	21	36	615	3,049
Poultry and eggs	16	32	36	2,183	3,013
Cattle and calves	19,482	12	36	820	3,056
Milk from cows	(D)	32	32	2,035	2,038
Hogs and pigs	(D)	32	34	(D)	2,827
Sheep, goats, wool, mohair, and milk	78	29	36	1,577	2,988
Horses, ponies, mules, burros, and donkeys	90	29	36	1,915	3,011
Aquaculture	(D)	27	30	(D)	1,366
Other animals and other animal products	13	29	35	2,109	2,924
TOP CROP ITEMS (acres)					
Forage-land used for all hay and haylage, grass silage, and greenchop	32,133	10	36	544	3,057
Barley for grain	(D)	12	30	396	1,158
Wheat for grain, all	(D)	28	29	(D)	2,537
Field and grass seed crops, all	(D)	18	24	(D)	583
Winter wheat for grain	(D)	27	28	(D)	2,480
TOP LIVESTOCK INVENTORY ITEMS (number)					
Cattle and calves	34,314	13	36	834	3,063
Layers	1,168	27	36	1,741	3,040
Horses and ponies	1,102	24	36	1,075	3,072
Sheep and lambs	650	29	36	1,227	2,897
Pheasants	(D)	7	21	(D)	963

Other County Highlights, 2012

Economic Characteristics	Quantity	Operator Characteristics	Quantity
Farms by value of sales:		Principal operators by primary occupation:	
Less than \$1,000	84	Farming	216
\$1,000 to \$2,499	25	Other	182
\$2,500 to \$4,999	33	Principal operators by sex:	
\$5,000 to \$9,999	54	Male	335
\$10,000 to \$19,999	53	Female	63
\$20,000 to \$24,999	18	Average age of principal operator (years)	58.6
\$25,000 to \$39,999	32	All operators by race ² :	
\$40,000 to \$49,999	12	American Indian or Alaska Native	4
\$50,000 to \$99,999	28	Asian	-
\$100,000 to \$249,999	35	Black or African American	-
\$250,000 to \$499,999	14	Native Hawaiian or Other Pacific Islander	-
\$500,000 or more	10	White	637
Total farm production expenses (\$1,000)	26,242	More than one race	1
Average per farm (\$)	65,934	All operators of Spanish, Hispanic, or Latino Origin ²	19
Net cash farm income of operation (\$1,000)	1,684		
Average per farm (\$)	4,232		

See "Census of Agriculture, Volume 1, Geographic Area Series" for complete footnotes, explanations, definitions, and methodology.

- Represents zero. (D) Withheld to avoid disclosing data for individual operations.

¹ Universe is number of counties in state or U.S. with item. ² Data were collected for a maximum of three operators per farm.