

## OAHP Testimony 4/4

Chair Clem, Vice Chair McLain, Vice Chair Sprenger, members of the committee. My name is John O’Keeffe I am currently President of the Oregon Cattlemen’s Association. Thank you for this opportunity to share my views on HB 3249.

To me this is about passing farms and ranches on to the next generation, to others this is about developing tools for landscape conservation. The tools in this bill are not for everyone, but they exist today in one form or another, so among other things we wish to level the playing field for Oregon producers, here I am referring to the non-federal match required by some NRCS programs. Currently this is a problem in Oregon. Also, keep in mind these tools are voluntary.

Conservation easements are the most controversial aspect of this bill. These have been discussed hard and long at the Oregon Cattlemen’s Association. This was quite some time ago when we worked to establish the Oregon Rangeland Trust, now known as the Northwest Rangeland trust. After much discussion, we decided that easements were there, our members used them, and they would continue to be used. With this in mind we felt that we wanted to be sure that there were opportunities for easements that were friendly to agriculture, held by those that understood agriculture and shared our values regarding easements on productive working lands. This has not changed.

Something new in this bill, conservation covenants, basically a conservation easement with a fixed term. I am told for technical reasons these shouldn’t be called “easements”, thus the term “covenant”. These may not be as popular with conservation funders because they are looking for permanency. But they will be much more popular with landowners, who are very hesitant, and rightfully so, to engage in permanent easements.

As we do this, Oregon Department of Fish and Wildlife along with US Fish and Wildlife, are finishing the Greater Sage Grouse Mitigation strategy. Oregon went to great lengths so we would have options to pursue projects that would benefit our rural communities in Sage Grouse regions. We don’t know what the final product will look like yet, but mitigation has to last as long as the project being mitigated. There needs to be a legal means to provide durability. Conservation covenants may perform this role very nicely. Also, it may be very hard to find acres to sign up for mitigation projects if the only vehicle available to provide project durability is a permanent easement. So again, conservation covenants may well be the solution to enable a viable mitigation strategy.

Oregon will some day address its tax issues, I certainly hope when this happens Estate taxes go away, these are very problematic for the high asset low liquidity entities that make up agriculture. The included study is a needed first step.

Thanks for this opportunity, please support HB 3249.