



Oregon

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OAHP Statute Revisions HB 2086

Background

In the course of rulemaking for ORS 541.977 – 541.989, the Oregon Agricultural Heritage Commission and OWEB identified several modifications to the statute that would help articulate the intended purpose, administration, and eligibility criteria of the Oregon Agricultural Heritage Program (OAHP). Stakeholders have been contacted regarding the proposed revisions and have been supportive of what is being proposed.

Proposed Statutory Revisions in Concept

The agency has proposed the following revisions to OAHP statutes:

- Clarify the requirement that the use of land be preserved and protected for agricultural production as a requirement of a conservation easement.
- Throughout the statute, change the language to indicate that the program is intended to assist landowners in “maintaining or enhancing” any or all of these three values: fish or wildlife habitat, water quality, or other natural resource values.
- Clarify that conservation management plans are “developed,” whereas working land covenants and easements are “purchased.”
- Expand eligible holders of conservation management plans from 501(c)(3) not-for-profit corporations, to “any not-for-profit other than a state agency.” Also expand the eligibility for the technical assistance program to entities that are eligible to enter into conservation management plans, working land conservation covenants, or working land conservation easements, rather than only entities that enter or propose to enter into these agreements.
- Clarify that the succession planning program is intended to benefit “agricultural owners or operators” with succession planning for “working lands,” using terms defined by statute.
- Repeal language allowing the technical assistance grant program to be used for “development funding” – a term that is not clear or defined.
- Make consistent the permissible types of additional contributions to organizations that receive an OAHP grant, or agricultural owners or operators receiving payments from OAHP.
- Clarify that the Oregon Agricultural Heritage Commission appoints technical committees alone and not jointly with OWEB’s Board, and that technical committees may report to OWEB staff or the commission. Also clarify what the commission “shall” versus “may” do.
- Clarify that OWEB’s Board approves program rules with assistance from the commission.
- Minor technical corrections that provide statutory “clean-up”.

Fiscal Impact: None

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