

House Bill 2573

Sponsored by Representatives MCKEOWN, SMITH DB, Senator HEARD; Representative GOMBERG, Senators JOHNSON, ROBLAN (at the request of former Representative Deborah Boone) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes cranberry farms from definition of "high-value farmland."

A BILL FOR AN ACT

1
2 Relating to high-value farmland; amending ORS 215.710.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 215.710 is amended to read:

5 215.710. (1) For purposes of ORS 215.705, high-value farmland is land in a tract composed pre-
6 dominantly of soils that, at the time the siting of a dwelling is approved for the tract, are:

7 (a) Irrigated and classified prime, unique, Class I or Class II; or

8 (b) Not irrigated and classified prime, unique, Class I or Class II.

9 (2) In addition to that land described in subsection (1) of this section, for purposes of ORS
10 215.705, high-value farmland, if outside the Willamette Valley, includes tracts growing [*specified*
11 *perennials*] **high-value crops** as demonstrated by the most recent aerial photography of the Agri-
12 cultural Stabilization and Conservation Service of the United States Department of Agriculture
13 taken prior to November 4, 1993. [*For purposes of*] **As used in** this subsection, [*"specified*
14 *perennials" means*] "**high-value crops" includes** perennials grown for market or research purposes
15 including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards but
16 not including **cranberries**, seed crops, hay, pasture or alfalfa.

17 (3) In addition to that land described in subsection (1) of this section, for purposes of ORS
18 215.705, high-value farmland, if in the Willamette Valley, includes tracts composed predominantly
19 of the following soils in Class III or IV or composed predominantly of a combination of soils de-
20 scribed in subsection (1) of this section and the following soils:

21 (a) Subclassification IIIe, specifically, Bellpine, Bornstedt, Burlington, Briedwell, Carlton, Cas-
22 cade, Chehalem, Cornelius, Cornelius Variant, Cornelius and Kinton, Helvetia, Hillsboro, Hultt, Jory,
23 Kinton, Latourell, Laurelwood, Melbourne, Multnomah, Nekia, Powell, Price, Quatama, Salkum,
24 Santiam, Saum, Sawtell, Silverton, Veneta, Willakenzie, Woodburn and Yamhill;

25 (b) Subclassification IIIw, specifically, Concord, Conser, Cornelius Variant, Dayton (thick sur-
26 face) and Sifton (occasionally flooded);

27 (c) Subclassification IVe, specifically, Bellpine Silty Clay Loam, Carlton, Cornelius, Jory, Kinton,
28 Latourell, Laurelwood, Powell, Quatama, Springwater, Willakenzie and Yamhill; and

29 (d) Subclassification IVw, specifically, Awbrig, Bashaw, Courtney, Dayton, Natroy, Noti and
30 Whiteson.

31 (4) In addition to that land described in subsection (1) of this section, for purposes of ORS

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 215.705, high-value farmland, if west of the summit of the Coast Range and used in conjunction with
2 a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils
3 in Class III or IV or composed predominantly of a combination of soils described in subsection (1)
4 of this section and the following soils:

5 (a) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;

6 (b) Subclassification IIIw, specifically, Brenner and Chitwood;

7 (c) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalan, Neskowin and Winema;

8 and

9 (d) Subclassification IVw, specifically, Coquille.

10 (5) For purposes of approving a land use application under ORS 215.705, the soil class, soil rat-
11 ing or other soil designation of a specific lot or parcel may be changed if the property owner:

12 (a) Submits a statement of agreement from the Natural Resources Conservation Service of the
13 United States Department of Agriculture that the soil class, soil rating or other soil designation
14 should be adjusted based on new information; or

15 (b)(A) Submits a report from a soils scientist whose credentials are acceptable to the State De-
16 partment of Agriculture that the soil class, soil rating or other soil designation should be changed;
17 and

18 (B) Submits a statement from the State Department of Agriculture that the Director of Agri-
19 culture or the director's designee has reviewed the report described in subparagraph (A) of this
20 paragraph and finds the analysis in the report to be soundly and scientifically based.

21 (6) Soil classes, soil ratings or other soil designations used in or made pursuant to this section
22 are those of the Soil Conservation Service in its most recent publication for that class, rating or
23 designation before November 4, 1993.

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