House Bill 2573

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

Relating to high-value farmland; amending ORS 215.710.

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

SECTION 1. ORS 215.710 is amended to read:

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

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

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

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

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

(a) Subclassification IIe, specifically, Bellpine, Bornstedt, Burlington, Briedwell, Carlton, Cascade, Chehalem, Cornelius, Cornelius Variant, Cornelius and Kinton, Helvetia, Hillsboro, Hullt, Jory, Kinton, Latourell, Laurelwood, Melbourne, Multnomah, Nekia, Powell, Price, Quatama, Salkum, Santiam, Saum, Sawtell, Silverton, Veneta, Willakenzie, Woodburn and Yamhill;

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

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

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

(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.
215.705, high-value farmland, if west of the summit of the Coast Range and used in conjunction with
a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils
in Class III or IV or composed predominantly of a combination of soils described in subsection (1)
of this section and the following soils:
   (a) Subclassification IIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;
   (b) Subclassification IIIw, specifically, Brenner and Chitwood;
   (c) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalan, Neskowin and Winema;
and
   (d) Subclassification IVw, specifically, Coquille.

(5) For purposes of approving a land use application under ORS 215.705, the soil class, soil rat-
ing or other soil designation of a specific lot or parcel may be changed if the property owner:
   (a) Submits a statement of agreement from the Natural Resources Conservation Service of the
       United States Department of Agriculture that the soil class, soil rating or other soil designation
       should be adjusted based on new information; or
   (b) (A) Submits a report from a soils scientist whose credentials are acceptable to the State De-
       partment of Agriculture that the soil class, soil rating or other soil designation should be changed;
and
       (B) Submits a statement from the State Department of Agriculture that the Director of Agri-
           culture or the director’s designee has reviewed the report described in subparagraph (A) of this
           paragraph and finds the analysis in the report to be soundly and scientifically based.
(6) Soil classes, soil ratings or other soil designations used in or made pursuant to this section
are those of the Soil Conservation Service in its most recent publication for that class, rating or
designation before November 4, 1993.

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