

Requested by Senator BENTZ

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2086**

1 On page 2 of the printed A-engrossed bill, delete lines 28 through 45.

2 On page 3, delete lines 1 through 13 and insert:

3 **“SECTION 3.** ORS 541.982 is amended to read:

4 “541.982. (1) An owner of working land may enter into a working land
5 conservation covenant with or grant a working land conservation easement
6 to an organization that is a holder, as defined in ORS 271.715, other than a
7 state agency. The covenant or easement must be for the [*purpose of ensuring*
8 *the continued use of*] **purposes of preserving and protecting** the land for
9 agricultural purposes [*while*] **and** maintaining or enhancing fish or wildlife
10 habitat, improving water quality or supporting other natural resource values
11 on the land. **Except as provided under subsection (6) of this section,** a
12 working land conservation covenant must be for a term of years that is es-
13 tablished as permissible in [*Oregon Agricultural Heritage Commission*]
14 **Oregon Watershed Enhancement Board** rules.

15 “(2) In addition to the purposes required under subsection (1) of this sec-
16 tion, a working land conservation covenant or working land conservation
17 easement may provide for carrying out any purposes of a conservation ease-
18 ment, as defined in ORS 271.715. The covenant or easement must provide for
19 carrying out those additional purposes in a manner consistent with ORS
20 271.715 to 271.795.

21 “(3) A working land conservation covenant or working land conservation

1 easement must:

2 “(a) Provide for regular monitoring by the organization [*accepting*] **en-**
3 **tering into** the covenant or **accepting the** easement to ensure that the
4 owner of the working land is adhering to the covenant or easement pro-
5 visions; and

6 “(b) If identical in [*duration*] **term** to a conservation management plan
7 for the working land, refer to the conservation management plan in the text
8 of the covenant or easement.

9 “(4) An organization that enters into[,] or proposes to enter into[,] a
10 working land conservation covenant, or [*accept*] **that accepts** a working
11 land conservation easement, may apply to the [*Oregon Watershed Enhance-*
12 *ment*] board for a grant to fund the purchasing, implementing[, *carrying*
13 *out*] or monitoring of the covenant or easement.

14 “(5) An application under subsection (4) of this section may be combined
15 with an application under ORS 541.981 for a grant to fund **the development,**
16 **implementation or monitoring of** a conservation management plan asso-
17 ciated with the working land conservation covenant or working land con-
18 servation easement.

19 “(6) **The board shall adopt rules establishing three or more permis-**
20 **sible terms of years for working land conservation covenants formed**
21 **under this section. A permissible term for a covenant must be not less**
22 **than 20 years or more than 50 years. However, notwithstanding the**
23 **term of years established for a working land conservation covenant,**
24 **an owner of working land may terminate the covenant at any time by**
25 **giving not less than one year’s notice to the organization that agreed**
26 **to the covenant.**

27 “(7) **Notwithstanding ORS 271.725 or the term of years established**
28 **for a working land conservation easement, an owner of working land**
29 **may terminate a working land conservation easement at any time by:**

30 “(a) **Giving not less than one year’s notice to the organization that**

1 **accepted the easement; and**

2 **“(b) Repaying the amount that the owner of working land received**
3 **as cash contributions, other financial assistance, in-kind services, in-**
4 **vestments, rental or easement payments, tax benefits or other benefits**
5 **in return for practices related to the easement.”.**

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