



Land Legacy Committee (LLC) Meeting Agenda
East Multnomah Soil & Water Conservation District

(May 15, 2023)

Monday, May 22, 2023, 4:00 – 6:00 PM

To be held at the EMSWCD Office [5211 N Williams Ave. Portland, OR 97217](https://www.emswcd.org/5211-N-Williams-Ave-Portland-OR-97217)

Or join virtually: <https://meet.goto.com/EastMultSWCD/landlegacycommitteemeeting>

Access Code: 993-088-381 United States (Toll Free): 1 877 309 2073 United States: +1 (646) 749-3129

AGENDA

Item #	Time	Agenda Item	Purpose	Presenter	Packet
1	4:00 10 mins	<ul style="list-style-type: none"> • Welcome and Call to Order • Review/Revise agenda • Previous Action Items • Approval of April 17, 2023 meeting minutes 	Information/ Decision	Guebert	a) 4/17/2023 LLC Meeting Minutes
2	4:10 5 mins	Time Reserved for Public Comment	Information	Public	N/A
3	4:15 10 mins	Oxbow Well	Information/ Discussion	Guests	N/A
4	4:25 85 mins	Executive Session	Discussion/ Decision	Shipkey / LLC	Executive session materials to be sent separately.
<p><u>Overview:</u> Shipkey will review Oxbow investment options, working farmland easement valuation considerations, provide an update on the disposition of District property and a possible acquisition opportunity.</p>					
5	5:50 10 mins	<ul style="list-style-type: none"> • Announcements and Reminders • Action Items • Adjourn 	Information	Guebert	N/A

EMSWCD Board Members, Officers and Meeting Dates:

EMSWCD Board			LLC	Year	FY22-23 Schedule	Board	LLC
Members	Positions	Officers					
Joe Rossi	Zone 1 Director		X	2022	July	6 th	25 th
Laura Masterson	Zone 2 Director	Secretary	X		August	1 st	
Mike Guebert	Zone 3 Director	Chair	X		September	x	x
Jim Carlson	At-Large 1 Director	Treasurer	X		October	3 rd	17 th
Jasmine Zimmer-Stucky	At-Large 2 Director	Vice Chair	Chair		November	7 th	21 st
					December	5 th	6 th
				2023	January	4 th	30 th
					February	6 th	
					March	6 th	
					April	3 rd	17 th
					May	1 st	22 nd
					June	5 th	



East Multnomah Soil and Water Conservation District Land Legacy Committee Meeting Minutes

Monday, April 17th, 2023

4:01pm - Call to Order

Guebert called to order the regular meeting of the EMSWCD Land Legacy Committee at 4:01pm on Monday, April 17, 2023, at EMSWCD's Office.

Introductions, Review/revise agenda, Review previous action items.

Guebert conducted introductions for the record. The following persons were present:

Land Legacy Committee: Jasmine Zimmer-Stucky (At-Large Director 2, LLC Chair), Laura Masterson (Zone 2 Director), Mike Guebert (Zone 3 Director), Jim Carlson (At-Large Director 1), Joe Rossi (Zone 1 Director) (virtual)

Staff: Nancy Hamilton (Executive Director) (virtual), Dan Mitten (CFO), Julie DiLeone (Rural Lands Program Manager), Matt Shipkey (Land Legacy Program Manager), Heather Nelson Kent (Grants Program Manager), Asianna Fernandez (Executive Assistant)

Guests: N/A

Changes to Agenda: Remove Item 3: Oxbow Well

Previous Action items- N/A

Approval of January 23, 2023, Meeting Minutes

MOTION: Carlson moved to approve the January 23, 2023, LLC Meeting minutes. Masterson 2nd. Motion passed unanimously (5-0).

4:02pm – Time Reserved for Public Comment: N/A

4:03pm - Quick question regarding Oxbow Well

Shipkey gave a quick overview of what the Oxbow Well discussion was going to be about and relayed that there will be more information on it at the May LLC Meeting.

4:05pm – Working Farmland Protection Program Initiatives

Shipkey Reminded that the program was put on hold due to workload, capacity, and strategic planning. Since January 2023, he's been spending a lot of time thinking about the big picture, assessing strengths/challenges, and doing some project development. Identified some likely barriers to program participation which staff will be testing via conversations with farmers/landowners with the support of a consultant. Staff will then use the outcomes of that survey to drive and craft outreach plans and possible program modifications. The survey effort should be completed by June with findings shared at the July LLC Meeting. Will be sharing initial big picture ideas for an outreach plan today, but don't have action items nailed down as we want those to be driven by the feedback we receive from the survey. This survey work is targeted towards owners of prioritized farm properties, with that prioritization based on how productive their property's soil is. On that note, we are working with Metro on updating the prioritization work to clean up/update the prior work west of the Sandy River and to incorporate select areas east of the Sandy River.

Guebert How is productivity measured?



Shipkey By farmland classifications: combination of NRCS soil classification, slope data, and separated by existence/absence of water rights.

Masterson Some prioritization around size and contiguous pieces as well.

Shipkey We've contracted with Metro for this work, who will also be creating tools for us to do more of this work ourselves in the future, including the ability to compare similarly sized farms against each other.

Masterson Are you finding that it's different since the last analysis?

DiLeone The last analysis was done in 2018, but only West of the Sandy River. Also including smaller property sizes this time.

Masterson What are we adding? Are we getting the entire data set or just the new pieces?

DiLeone The full data is narrowed down to 500 or so agricultural lots. Then it's narrowed down more based on property size, then the rest will go into the formula Metro will run for us. Also adding data from East of the Sandy River. Metro will make it so we can run analyses on properties ourselves going forward, which will make it easier for us to update in the future.

Shipkey We've had properties East of Sandy come to our attention in the past, but we didn't have a way to put them into context with our other data. Noted that doing this prioritization update is in no way putting the brakes on project development.

Guebert As far as the survey goes, this can be a group that is hard to get a response from sometimes, what does the consultant think about that?

Shipkey We contracted with someone who is experienced in working in rural areas with an average 50% response rate. We will be giving options to the farmers on how they want to participate (phone, web, mail, etc.) and we are offering financial incentives for participation.

Hamilton The contractor has done similar work with Tualatin SWCD, West Multnomah SWCD, and some bigger farms in Eastern Oregon, and we let her know that this is a challenging demographic to engage in our district so she's aware.

Shipkey One barrier to more robust participation in our working farmland easement program is that the pricing for these easements is established by an appraisal, with appraisals typically only concluding meaningful easement value if a residential right is extinguished; approximately 2/3rds of our priority farm properties have no such additional residential development potential. We are working to tackle this issue in several ways. We are currently working with the Oregon Agricultural Trust to look at several of our easement appraisals to see if those appraisals are "leaving any money on the table". We are also requesting proposals for an alternative approach to easement valuation. A few places like Colorado and Maryland are considering alternative approaches to easement valuation or are already doing so. This consulting assignment might also in the future include a valuation strategy for incentivizing carbon farming, but farm easements are our current top priority.

Further Land Legacy Program (LLP) updates:

- We're working with Oregon Ag Trust and other Districts to produce a new in-person farm succession workshop for the Fall of 2023, which we might also pair with an incentive to pay for attendance of a class at Clackamas Community College/SBDC, which focuses on actual farm succession plan development.
- We're continuing to do outreach and project development.



Zimmer-Stucky To the issue of responses to resistant landowners, does a term easement mean one that expires in a number of years?

Shipkey Yes.

Masterson Do you feel like there's value in the 50+ things that are allowed on Exclusively Farm Use (EFU) land?

Shipkey Our appraisals have never found a specific significant value in those rights, rather they have lumped them in with the generalized value loss associated with an easement.

4:20pm – Outreach Plan

Shipkey presented the draft LLP Outreach Plan. As noted, the expected survey responses will be used to inform the finalization of the LLP Outreach Plan.

- Walked through past outreach efforts by method and by numbers (since Shipkey was hired). The most successful outreach strategy comes from leveraging existing relationships and in-person conversations.
- Explained the LLP's outreach plan goals:
 - Understand what motivates potential program participants.
 - Increase positive awareness of our working farmland protection program.
 - Increase program participation.
 - Raise awareness of other EMSWCD programs/services.

Masterson asked Carlson and Rossi about how else the District can be outreaching to farmers.

Carlson Suggested staff attend some of the community groups meetings (Farm Bureau, Nursery Association, etc.) to start conversations with individuals in the room.

Rossi The key is to make it look like you're not part of the government and be clear about what your role is. Use Farm Bureau, Rossi, and others' names in the industry as references. Farmers are afraid that someone with an agreement on their property will cost them in the future, even if the district has good intentions.

4:41pm – Executive Session under ORS 192.660(2)(e) held for real estate negotiations.

Executive Session under ORS 192.660(2)(e) was held for real estate negotiations and ended at 5:31pm.

5:31pm – Motion: Masterson moved to approve the property to be sold subject to a working farmland easement with price being a key consideration for evaluation by the District. As conversations advance with prospective purchasers, note the ability to leverage additional working farmland protection as being a possible enhancing factor for purchase offers. Carlson 2nd. Motion passed unanimously (5-0).

5:32pm - Closing items: announcements, reminders, and action items.

May 22nd: next LLC meeting.

Zimmer-Stucky will not attend.

Carlson may not attend.

5:33pm - Adjournment

Guebert adjourned the meeting at 5:33pm.