



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

(July 25, 2023)

Monday, July 31, 2023, 4:00 – 6:00 PM

To be held at the EMSWCD Office [5211 N Williams Ave. Portland, OR 97217](https://www.ewaswcd.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 May 22, 2023, meeting minutes	Information/ Decision	Guebert	a) 5/22/2023 LLC Meeting Minutes
2	4:10 5 mins	Time Reserved for Public Comment	Information	Public	N/A
3	4:15 60 mins	Farmer / Landowner Survey	Information/ Discussion	Shipkey / LLC	a) Findings Report b) LLC Memo
<u>Overview:</u> Shipkey will overview key findings of the recent survey of owners of priority farmland properties, as well as some possible action steps responsive to that feedback (to be considered over the coming months). This will lead to an opportunity for an LLC discussion.					
4	5:15 35 mins	Executive Session under ORS 192.660(2)(e)	Discussion/ Decision	Shipkey / LLC	Executive session materials to be sent separately.
<u>Overview:</u> Shipkey will review the Oxbow easement amendment purchase offer, a possible acquisition opportunity, provide updates on property specific outreach efforts and discuss the status of the ongoing disposition of District property.					
5	5:50 5 mins	Land Trust Alliance Rally Tour	Information	Shipkey	N/A
<u>Overview:</u> Shipkey will brief the LLC on a farm access tour he has helped coordinate for a national land conservation conference to be held in Portland in September 2023.					
6	5:55 5 mins	<ul style="list-style-type: none">• Announcements and Reminders• Action Items• Adjourn	Information	Guebert	N/A



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EMSWCD Board Members, Officers and Meeting Dates:

EMSWCD Board			LLC	Year	FY23-24 Schedule	Board	LLC
Members	Positions	Officers		2023	July	5	31
Joe Rossi	Zone 1 Director		X		August	16	
Laura Masterson	Zone 2 Director	Secretary	X		September	6	25
Mike Guebert	Zone 3 Director	Vice-Chair	Chair		October	2	
Jim Carlson	At-Large 1 Director	Treasurer	X		November	6	27
Jasmine Zimmer-Stucky	At-Large 2 Director	Chair	X		December	4	
				2024	January	3	22
					February	5	
					March	4	25
					April	1	
					May	6	29
					June	3	

5/22/2023



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

Monday, May 22nd, 2023

4:04pm - Call to Order

Guebert called to order the regular meeting of the EMSWCD Land Legacy Committee at 4:04pm on Monday, May 22, 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: Laura Masterson (Zone 2 Director)(virtual), Mike Guebert (Zone 3 Director), Jim Carlson (At-Large Director 1), Joe Rossi (Zone 1 Director) (5:22pm)

Land Legacy Committee Absent: Jasmine Zimmer-Stucky (At-Large Director 2, LLC Chair)

Staff: Nancy Hamilton (Executive Director), Julie DiLeone (Rural Lands Program Manager), Matt Shipkey (Land Legacy Program Manager), Asianna Fernandez (Executive Assistant)

Guests: N/A

Changes to Agenda: Eliminate Item 3.

Previous Action items: N/A

4:05pm - Approval of April 17, 2023, Meeting Minutes

MOTION: Carlson moved to approve the April 17, 2023, LLC Meeting minutes. Masterson 2nd. Motion passed unanimously (3-0, Zimmer-Stucky and Rossi absent).

4:06pm – Time Reserved for Public Comment: N/A

4:07pm – Executive Session under ORS 192.660(2)(e) held for real estate negotiations.

Rossi joined the meeting at 5:22pm.

Executive Session under ORS 192.660(2)(e) was held for real estate negotiations and ended at 5:45pm.

5:46pm - Closing items: announcements, reminders, and action items.

The next LLC Meeting is on July 31st at 4pm at the EMSWCD Office on N Williams, in Portland.

Action Items:

- **DiLeone** to report ball and burlap affecting soil - numbers to the Board at a future Work Session meeting.
- **Fernandez** to add an Executive Session under ORS 192.660(2)(e) for real estate negotiations to the June 2023 Board Meeting Agenda.

5:48pm - Adjournment

Guebert adjourned the meeting at 5:48pm.



Farmland Owner Opinion Survey

Prepared on behalf of East Multnomah Soil and Water Conservation District

by Stamberger Outreach Consulting

JUNE 2023



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PROJECT CONTEXT

East Multnomah Soil and Water Conservation District (EMSWCD) contracted with Jamie Stamberger of Stamberger Outreach Consulting to develop and implement an opinion survey of specific farmland owners in East Multnomah County. These landowners own larger properties with open land currently used for agriculture, making them high priority for EMSWCD farmland preservation efforts.

PROJECT PURPOSE

The purposes of the Farmland Owner Opinion Survey were to:

1. Hear what farmland owners value about their farmland and get a sense of their plans for the future of their land.
2. Better understand the barriers and perceived benefits of working farmland easements and opportunities to improve EMSWCD's easement program.
3. Learn about landowner willingness to sell farmland to EMSWCD.
4. Gather landowner recommendations about how EMSWCD can help keep farmland available for future generations.
5. Identify preferred methods of learning more about the EMSWCD Land Legacy Program

PROJECT COMPONENTS

- Written Research Plan for the project developed in partnership between EMSWCD and Jamie Stamberger, including detailed survey methodology
- Development of survey questions and materials
- Survey recruitment and implementation
- Written Research Report (this document)

SUMMARY OF METHODS

We gathered survey responses from thirty-one farmland owners. At least half of these grow landscaping nursery stock. Twenty-six participated in a phone interview, four answered survey questions by mail, and one through an online version of the survey. Most interviews lasted 30-40 minutes. All participants were offered \$100 as a thank you for their time. We achieved a high overall survey response rate of 58% due to a combination of cash incentives, repeat phone calls, confidentiality, the survey being conducted by a non-government third party, trusted local contacts helping with outreach, and offering the survey in multiple formats. EMSWCD staff provided a list of 53 farmland owners for contact. Although we gathered rich and helpful insight from these surveys, our findings cannot be said to be statistically representative of all priority farmland owners in East Multnomah County.

KEY FINDINGS & RECOMMENDATIONS

1. Although many landowners we talked to agree with the intent of the Land Legacy Program, interest in the EMSWCD working farmland easement program is low and there are some who have serious concerns about government land purchases and resale in the community. EMSWCD could assess whether increasing technical and business support of local farm businesses would make it less likely they will sell to developers. EMSWCD should also consider increasing collaboration with or supporting other non-governmental agencies doing agricultural land acquisition and easement work.

- Regardless of their future plans for their land, half of all landowners we talked to expressed concerns about farmland being developed and said they want to keep their land in farming and agriculture going forward as much as possible.
- About one in four said they feel the Land Legacy Program as a duplication of the EFU zoning regulations. EMSWCD should clarify how their and other programs differ from EFU zoning and why it is important, consider changing messaging to make this clear.
- Some talked about the many government regulations already imposed on farmers and some also said they do not want government having control over their land. A few said the LLP is not a good use of taxpayer dollars and is an example of government overreach.
- Some participants said they really benefitted from the district's technical assistance programs, and they think the district does them well. A few thought this was a better use of resources and more supportive to farmers than buying land or increasing land use regulations.

2. Easement program participation will continue to be limited until EMSWCD finds a better balance between financial compensation and easement restrictions. To increase participation, EMSWCD will need to increase payments and add flexibility in program requirements.

- Although quite a few respondents had a generally positive response to the easement program and agree that protecting farmland is important, very few people we talked to wanted to participate because of program restrictions on farming activity.
- About half of respondents said \$12,000 per acre is not enough to encourage them to consider an easement.
- Half of landowners we talked to are nursery stock producers, and limitations on activities that remove topsoil was the most reported concern about easements. About a third of nursery farmers we talked to said these limitations were a deal-breaker for them.
- Other common concerns included:
 - The permanence of easements – Many respondents were nervous about not being able to revoke an easement if their circumstances change in the future. They want to keep their options open.
 - The Agricultural Management Plan (AMP) – About a third of respondents also said they know very well how to care for their property and are not interested in having someone

from the outside tell them how it should be done. This was exacerbated by the feeling that EMSWCD staff are not farmers and a sense of division between urban and rural residents. A few also said farmers already have enough paperwork to complete and this would add bureaucratic burden.

- Concerns about duplication of the Exclusive Farm Use (EFU) zoning regulations that already limit development of farmland – Another common concern that arose was the sense that the EMSWCD working farmland easement program duplicates existing government zoning regulations and is not necessary. A couple saw it as an example of government waste and inefficiency.
- The most common recommendation was to be flexible in the limitations that are required and based them on the needs of the individual.
- The most mentioned type of flexibility was allowing nursery farmers to continue ball and burlap nursery operations.
- Some said more money for easements would encourage them

3. Farmland purchase is a more popular idea than the purchase of working farmland easements among landowners we talked to. However, EMSWCD will likely need to offer competitive prices for many properties. There were also some among the nursery farmer community who had strong concern and opposition to EMSWCD farmland purchase. EMSWCD should consider increasing payments offered and conduct further research into the potential economic implications of their purchases on local area businesses. It will also be important to examine and clarify who EMSWCD is selling their farmland to and why – who is included and excluded from these land sales is of concern to local landowners.

- About half of respondents said they would consider selling their land to EMSWCD when they are ready to sell. About one-third said they were not sure, and slightly less said they are not interested.
- Those who were open to the idea said a competitive offer from the district would encourage them. A few saw the district as similar to any other potential buyer that would make an offer. Some said assessed market value would not be enough.
- Quite a few respondents said selling farmland is the farmers' final payoff after a long, difficult farming career, especially if they do not have heirs to inherit the land. They understand the inclination to sell for a high offer. Some described farmers being caught between the income from selling and the desire to keep the land in farmland.
- Some nursery farmers expressed concerns about negative impacts EMSWCD land purchases could have on the local farmland market. They felt EMSWCD would add a competitor flush with cash that would make it harder for other local farmers to buy the land when it was available.
- Some said the program discriminates against nursery farmers because the limitations on ball and burlap that would be placed on the property would make it unavailable for them to buy or lease.
- A couple said EMSWCD purchasing land and reselling it below market value interferes with the free-market economy.

- When asked if an offer of \$10,000-\$15,000 for the first purchase right would be interesting to them, the most common response was no. About one quarter said yes, and another quarter said they were not sure. Two people said they would need at least \$100,000 for this option to interest them.

4. There are feelings of division between established area farmers and new small farmers in the area. EMSWCD should consider hosting open-houses or other events and consider professional facilitation of dialogues between these groups to help build bridges and mutual understanding and create a more cohesive farming community.

Farmers we talked to shared their doubts that small farms like those at Headwaters Farm and associated farms will earn enough to be sustainable. Some referred to them as “hobby farms” and said those farmers do not seem to be experienced and are not maintaining the land properly or using it to its full potential. This gave some a poor impression of the Headwaters Incubator Program and the sale of land through the Land Legacy Program back to farmers. Some expressed concern that EMSWCD programs are encouraging that type of farming they don’t feel is sustainable rather than supporting farmers like themselves.

5. Some nursery farmers are frustrated with the Land Legacy Program and feel that it discriminates against them and their industry. To increase support from the nursery farming community, EMSWCD should conduct further listening sessions, focus on relationship building, closely consider implications of the LLP on nursery farms in the area, and increase flexibility on topsoil removal restrictions. It is important to note that some landowners we talked to are also concerned about the local impacts of nursery production.

- Nursery stock production is a large and important industry in East Multnomah County. Half of the landowners we talked to for this survey are nursery stock producers.
- One-third of nursery farmers we spoke to also said there are misconceptions about how much topsoil their operations are removing from properties.
- As mentioned previously, some nursery farmers expressed concerns about negative impacts EMSWCD land purchases could have on the local farmland market. They felt EMSWCD would add a competitor flush with cash that would make it harder for other local farmers, including themselves, to buy the land when it was available.
- Some said the Land Legacy Program discriminates against nursery farmers because the limitations on ball and burlap that would be placed on the property would make it unavailable for them to buy or lease.
- About one-third of all the landowners we talked to mentioned problems with nursery stock production in the area. Problems they mentioned included that it removes the topsoil, uses a lot of chemical pesticides and fertilizers, and is taking up a lot of the farmland in the area. About half of these comments came from nursery stock farmers themselves, and the other half from other types of farmers in the area.

6. The building of the Portland Water Bureau filtration plant in Cottrell reflects poorly on the EMSWCD Land Legacy Program. EMSWCD should consider getting more actively involved in this issue to earn local trust.

One in five farmland owners we talked to voiced frustration about the construction of the Portland Water Bureau filtration plant on what they feel is prime farmland in East Multnomah County. They felt the government is being duplicitous in working to protect working farmland on one hand and removing working farmland for its own purposes on the other. The issue seemed to negatively impact the perception of the Land Legacy Program, and some said a show of EMSWCD solidarity with landowners in the area against the project would help develop community trust.

7. Farmland owners had the following recommendations for gaining community support for the Land Legacy Program:

- Listening to landowners and building relationships over time - Some talked about the tension between farmers and the government and the sense that government doesn't listen or want to work with the people. Quite a few appreciated the outreach and listening accomplished through this opinion survey project. Some feel EMSWCD staff are not farmers and outsiders to their community. They recommended being more open to the farmer's perspective and not assuming they don't have good intentions. A few said it would take time and effort to build inroads in the community.
- A couple of respondents recommended hiring staff that are farmers and live or work in East Multnomah County to help with outreach
- A few said to continue to show up at Farm Bureau meetings and hold events at the Grange
- Many said they most want to hear from other landowners who have participated in the program
- Be patient and work on developing relationships through open conversation and listening. Approach with an understanding that good people who care about farming may also want to sell their farmland to a developer for valid reasons. Consider reflecting these ideas in program outreach and materials.

8. Ongoing information needs and preferences

- After the survey conversation, more than half of respondents said they need more information, while about one-third said they felt they have all the information they need.
- Most respondents said they would prefer a meeting with EMSWCD staff to learn more. Written materials were the next most mentioned. Some expressed interest in future meetings at the Grange or Farm Bureau meetings. Several had specific questions about how the prices for easements or purchase offers were calculated.
- Those who wanted to speak to EMSWCD staff said they preferred in-person or phone conversations. No one said they preferred a video call. A couple of respondents said EMSWCD staff are good to work with. One person said they really appreciate farm visits.
- There was a wide range of preferences for contact frequency from EMSWCD. "Any time" (from write-in answers) and "once per year" were tied for most reported.

DETAILED INTERVIEW RESULTS

1. Farm uses, values, future plans, and overarching concerns

How respondents are using their land

About half of the farmers we talked to produce nursery stock.

Nursery production	15
Mixed vegetable farm	5
Fruit	4
Meat	1
Horse farm	1

What respondents most value about their farmland

- **Enjoyment of nature and the beauty and openness of the property was the most reported value, mentioned nearly twice as often as any other.**

“Just a nice environment...my house has a magnificent view and farmland, and the field is totally flat, and it's wonderful soil, and things grow well there, and I just go out and walk around and admire nature.”

- **The next most mentioned were having good soil and family heritage associated with the land.**

“The quality of the soil, we've got really good farmland, wish we had more of it.”

“Been in the family for a long time, homesteaded in 1853 and my grandpa was like a son to [the original owners], very near and dear to all of us. I'm the 3rd generation.”

- **Some also said they value that the land is productive, providing things people need and use, privacy, and having space for wildlife.**

“Farming's a wonderful life, it's a gift a privilege and a blessing to be able to farm and to produce something with beautiful land, even though we consume in producing, we love the

land, love the opportunity and it creates open spaces and beauty and greenery and the trees produce oxygen and beauty - there's all that wonderful side of it."

- **A few others said they value being away from the city but being close enough to amenities, having the land as an investment or financial fallback option, and the sense of freedom to use their land as they wish.**

"Value the investment, the knowledge that I have something in my back pocket I or my kids can fall back on."

"I like that we're out East, have good access to downtown Portland, we can get downtown in 25 minutes, yet we're out in the country and have good access to eastern places."

Future plans for their land

- **Survey respondents fell nearly equally into three categories of future plans for their land:**
 - Plan to sell to developers or other farmers at some point (about one-third)
 - Planning to pass down their property – mostly to family, some to friends (about one-third)
 - Don't have clear plans for the future of their land (about one-third)
- **Regardless of their plans, half of all landowners we talked to expressed concerns about farmland being developed and said they want to keep their land in farming and agriculture going forward as much as possible.** The primary concern was development for housing, but one also mentioned concern about farmland being developed for solar energy, and another mentioned land being developed for microchip processing plants in Washington County. A couple said they don't think it's possible to stop farmland being developed in the area, and another couple said they are not concerned about development of farmland.

"I see so much development in our area on the nursery properties, it's inevitable probably but I personally hope it never comes because you just can't get it back when you have neighborhoods on this open property... I've been here my whole life. I love Oregon, and I just hate to see so much population. When you start turning your farmland into homes. Preserve natural resources, and farmland is one of them."

"I wish all our neighbors would do it, get together and lock this property in, the whole area here, because there is some awesome farmland around. I know there's neighbors over here that aren't as stuck emotionally to their land as I am, so I think as they get older and done there's talk about them selling it for big money that's more important to them right now. If they do, that it messes us up, because it's makes it hard for us to do what we do, puts a lot of pressure on us."

- **Quite a few survey respondents said selling farmland is the farmers' final payoff after a long, difficult farming career, especially if they do not have heirs to inherit the land.** They

understand the inclination to sell for a high offer. Some described farmers being caught between the income from selling and the desire to keep the land in farmland.

"A farmer farms his land all his life and then he sells it, often to development - it goes out of farming and that's their retirement. There's always that big struggle between preserving farmland and getting paid to be done. I understand, it comes down to money and the conservation, it's the heart of conserving and the choice of economic return. How much am I willing to pay or not get paid to put land in a conservative easement? That's the real question. What's it worth to a person?"

"If the UGB reaches out past me and includes my property, the value of the land would be worth trillions - it would be awfully hard to say no to a developer. I don't need the money, I've got to have ears on it for sure [listen to a developer's offer], but I'd rather sell it to a farmer who's going to keep it in agriculture as long as I can get a fair price versus the developer. It would be hard for a farmer to do - once I sign with EMSWCD, I'd be stuck selling it just to a farmer, giving up those rights, could be trillions of dollars, that's lots of development, could be a handsome development, but again I'd just as soon, personally, when I'm in heaven looking down [saying] 'I sure wish I could have kept that in [farming]'."

- **Some farmers said they are getting older and do not have heirs to inherit the property.**

"At some point when the timing is right, I want to be able to pass it down to someone who can value the specialness and history and care for it as we do. I look to the FFA and other farm families around that have 2, 3, 4, 5 kids that want to farm and maybe they only have 60 or 80 acres or less, so if all those kids want to farm, they're going to need a chunk of land. Right now, I know of some special people that I could pass it down to, but by the time we're aged out, they'll be darn near as old as us."

- **Two said they plan to continue to lease out their land.**
- **Another two said they would like their land to be used by the new generation of farmers.**
- **Some said having the freedom to choose what they will do with their land is important to them.**

"I'm not against the concept at all [easements], I just like preserving the choice. It has good merit and a good mission, a good purpose. I don't like being cornered - my back stiffens when the government starts telling me what's best for me, but I can't be against it just because they say it. A good choice is to preserve land in farming, but I want to keep the choice."

Nursery stock production

- **Nursery stock production is a big industry in East Multnomah County. Half of the landowners we talked to for this survey are nursery stock producers.**

- **One third of the nursery farmers we talked to said nursery production is very important in the area.**

"We'd like to see this area continue with people that want to make a living out of farming and continuing with nursery stock. More nursery stock comes out of here than anywhere else in the US. It's a family thing - we'd like to see it keep going. When they want to discourage people from doing it, we don't really care for that. We'd like to see it continue."

- **The same one-third of nursery farmers we spoke to also said there are misconceptions about how much topsoil their operations are removing from properties.**

"Most everyone does 2-3 types [of nursery production], and we do replace the topsoil, we bring in the topsoil. There's been farms here for almost 100 years that have done ball and burlap and haven't had any issues with topsoil."

"I had no idea they wanted to manage what nursery people are doing, we're doing nursery right now because that's the only thing viable for our income to survive on. We are adding back as much or more [soil] than we're taking just by the use of cover crops and natural vegetation that's coming back... I haul in sand for erosion control, etc. We have practices so we don't lose eroded soil. As far as the trees, yes, we are shipping soil out in the trees, but realize most of that root ball is actually root. We make sure we don't lose so much that it impacts the viability of the land."

"The ball and burlap is what I do, and a lot of people won't lease me land because of that, but there is a huge misconception on it too that even the EMSWCD people don't understand is that we don't remove that much topsoil. It takes 7-8 years for one crop of plants I'm growing. If you look at it from the lifespan of a farmer and the size of plants, it's an almost insignificant amount of soil we remove. If you've got 40-50 good years of farming, you don't get that many crops off... A lot of these old farmers think we're ruining the world, for the long term of the crop, we grow a cover crop between them it ends up being a 10-year cycle."

- **About one-third of all the landowners we talked to mentioned problems with nursery stock production in the area. Problems they mentioned included that it removes the topsoil, uses a lot of chemical pesticides and fertilizers, and is taking up a lot of the farmland in the area. About half of these comments came from nursery stock farmers themselves, and the other half from other types of farmers in the area.**

"They take the dirt away and don't put anything back. The nurseries need to put something back in the soil. They're taking the dirt. They just plant, pull 'em out, highest use chemicals I'm sure. I'd like to stop and take their containers into the lab and see what's really in the ground - they spray when people are out there, and animals. They shouldn't let them burn their trees, make them grind them."

"Some of the land over here is taken up by some of the big farms. It's inaccessible to anybody else. That is something I'd like to see them do is help the small farmers access more land, there's a few nurseries that have it all tied up in long term leases."

“I’m concerned because all the farmland is in nursery stock and that’s not feeding everybody, but it keeps it in farming. I think we’ve got to consider keeping it in food because we’re gonna be in trouble if we don’t have more.”

Other concerns of farmers

Although we did not specifically ask about them, survey respondents expressed the following concerns related to working farmland protection and the Land Legacy Program.

- **Construction of Portland Water Bureau Filtration Plant in Cottrell** – One in five farmland owners we talked to voiced frustration about the construction of the water plant on what they feel is prime farmland in East Multnomah County. They felt the government is being duplicitous in working to protect working farmland on one hand and removing working farmland for its own purposes on the other. The issue seemed to negatively impact the perception of the Land Legacy Program, and some said a show of EMSWCD solidarity with landowners in the area against the project would help develop community trust.

“It’s ironic too, when land that’s sold into farm deferral and yet the government has the need for it to be converted to something other than farming. We’ll see how those gymnastics reverse the battle cry.”

[Jamie asked advice for encouraging farmers to work with EMSWCD] *“Fight the water plant. Voice opposition to it and join with the farmers they’re trying to help. For them to not really stand up at all against the water plant is a little bit disconcerting.”*

“What about the water filtration system? They’re buying farm ground to put a water filtration system. The only reason they’re trying to buy farmland for that is that it’s cheap. They aren’t that interested in building [protecting] farm ground, they’d build it in a different place, they want to save themselves some money, want everyone to cater to them, but don’t follow their own rules. If they [EMSWCD] were so worried about it, they’d try to stop the project, they’d step in and say ‘no, let’s build it on non-farm ground land’”.

- **Skepticism about the Headwaters Farm Incubator and small-scale mixed vegetable farms in the area** – Farmers shared their doubts that small farms like those at Headwaters Farm and associated farms will earn enough to be sustainable. Some referred to them as “hobby farms” and said those farmers do not seem to be experienced and are not maintaining the land properly or using it to its full potential. This gave some a poor impression of the Headwaters Incubator Program and the sale of land through the Land Legacy Program back to farmers. Some expressed concern that EMSWCD programs are encouraging that type of farming they don’t feel is sustainable rather than supporting farmers like themselves.

“Another thing on that, I don’t know for sure, but I think I heard the people they sold Donny’s land to were not successful in what they’re doing but I can’t be sure. That’s the thing too, I’m not sure the SWCD is getting the proper people to purchase these lands, like the capable people that are already farm versed people, that they’re set to do what needs to be done to be successful, farming experienced and educated enough, it’s all just experience.”

"My only thing is I witnessed that one on Bluff Road in Cottrell, they do have the little parcels, most people don't know that much about farming. You see, it's not a big field that's nicely cultivated, its little spots trying to grow things with limited success. For example, in City of Portland, they have these things where you can let somebody come and do a community garden. Most I've witnessed are a mess, people bring a bunch of stuff there and their old crops, they lose interest. A lot of people think this time of year planting nice, beautiful gardens and then 4 months later, they'll look like hell."

"They're [EMSWCD] going to advertise [land] to people who will grow berries and sell them at the farmer's market. You're not gonna make a living doing that. We support two families here. You're not going to support two families growing berries for farmer's market. ... I'm not talking down on that, just saying it's not going to make you a living."

"People are taking nursery land and turning it into vegetable growers, that hurts us."

- **In terms of land for new farmers, several recommended they start their businesses small and lease land until they can build up their business themselves. They said leasing land is very affordable.**

"You go to work for somebody. I've worked for [other farmers], then I came back into nursery stock, I worked for another nursery for 7 years before I partnered with my own father. It's not necessarily a generational thing, you gotta go out and find out what you want to do, what you like to do. The best way to do that is to go out and get experience, almost like trade school. Horticulture classes, propagation classes, grafting classes, are great but you're not going to get the same type of experience as you would if you went out and worked somewhere. So many farms would hire someone that knows absolutely nothing. I've learned more in the farms than I ever did going to school, even the college I did. Working on farms I learned more than I ever did in the classroom. Leasing is the best way to do it - you're not going to go out and buy a \$500-\$600,000 piece of property, you're gonna lease it, pay maybe \$1,000 per year a lease payment. Start small and continue to work for somebody while you're doing your own thing. Grow your business and then quit and start your own thing. That's the way my father started his business. He started the farm an acre at a time and pretty soon it was making more than at this other job."

- **Farmers would like access to more land** – A few farmers said they would like access to more farmland in the area to grow their operations. A few saw this as a potential benefit of the easement program, while a couple others saw the Land Legacy Program as competition.
- **Slim economic margins and lots of regulation on farmers** – Some landowners we talked to described the narrow economic margins of farmers and how hard it is to make a living farming. Some also said there are many regulations on farmers that add to the difficulty of farm business.

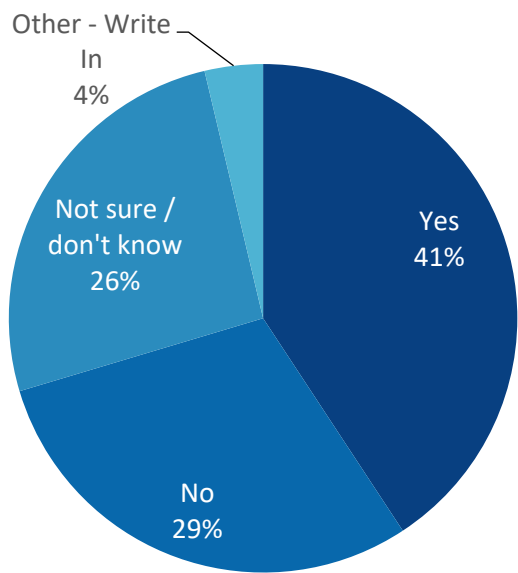
"If someone has 100 acres and wants to hand it down, there's no way would son or daughter would want to take that on because it's too regulated, it's too restrictive... It

just doesn't make sense, no one would put themselves in this situation. Part of me thinks I should just sell the farm. If the district comes along and wants to keep the land in farmland, it [payments] would never be enough. ...It's too expensive to farm in East Multnomah County. We do not pay enough for our food in the whole country, if I tried to buy a pint of blueberries from people who care, organic farm, paying minimum wage and [providing housing for workers], that pint of blueberries cost \$8-\$10 per pint - that's what it costs. Until we start paying enough for our food, we cannot make it work even if the district is throwing money at us."

2. Easements

Familiarity with working farmland easements

- **The most people said they are familiar with easements. About a third had not heard of them and about a quarter were not sure.**
- **When describing working farmland easements in their own words, only half of those who said they were familiar mentioned development restrictions.** Seven of the respondents who said they are familiar with easements described them in their own words. About half of these said they involve land use restrictions, while others described natural resource conservation easements, land donations, government owned land farmland that is used for new farmer education.



Value	Percent	Count
Yes	40.7%	11

No	29.6%	8
Not sure / don't know	25.9%	7
Other - Write In	3.7%	1
	Totals	27

Other - Write In

(Partially) heard of, got a letter in the mail about it, then asked one of my friends and he said you ball and burlap so there's no way you'd qualify for that.

How would you describe working farmland easements in your own words?

When you put land into a trust or something like that, there are a number of different programs that have been discussed, not sure which one you're referencing, there was a push to commit farmland towards donations to the District at some point in the future, there are programs that will give you cost shares for doing or not doing certain things in these areas.

Basically, I set it up so that builders can't come in and build a property on it. As part of me giving up the rights for future property owners to build it, I'll get a property tax break for it, other one is a covenant to say this land can only be farmed in the future until the city decides to take it.

To lease or sell land but keeping it agricultural.

They take a lot of different flavors, Oregon Ag trust has one that's different than EMSWCD, generally placing restrictions on potential use of property, future use of property.

I believe that those are government funded land they've acquired that they teach people how to farm on them and things along those lines.

Basically, an easement that they pay you a certain value they come up with to keep the land from being buildable or developable.

About a 10-foot buffer around the perimeter of any water or any area that would be disturbed that needs to stay in a natural state.

Overall response to working farmland easements

Next, Jamie described EMSWCD working farmland easements and gave an overview of their purpose and five of the most common easement terms and limitations. She then asked respondents for their thoughts about the easement program.

- **Nearly the same number of respondents had a generally positive response to the easement program as had a negative response. A couple of respondents were in the middle and said they were open to listening.**

- Of those who felt favorably, only four were interested enough to want a follow up meeting about the program. Those four were very interested. The rest of the favorable group thought the program was a good idea but still did not want to participate for a variety of reasons.

Benefits of easements

- Respondents were asked how important or unimportant protecting the land for farming, reducing estate taxes, income tax deduction, and the cash payment received for the easement would be to them if they were considering an easement for their property. Nearly all respondents said all four topics were either very important or somewhat important to them.
- A few also mentioned the benefits of keeping the cost of land down and keeping land available for existing and future farmers in the area.

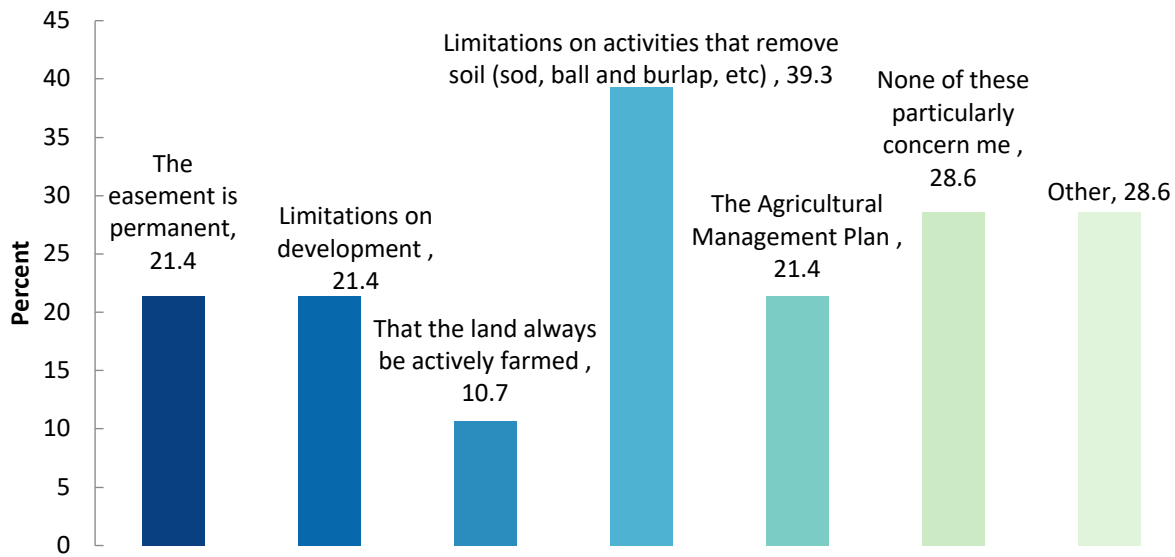
	Very important	Somewhat important	Only a little important	Not at all important
	Count	Count	Count	Count
Protecting the land for farming	13	8	2	0
Reducing estate taxes for heirs or other succession planning reasons	13	7	2	2
Possible income tax deductions	9	9	4	0
The cash payment received for the easement	12	6	4	0

Concerns about common easement terms and limitations

Jamie asked which of the five most common terms and limitations were most concerning.

- Limitations on activities that remove topsoil was reported more than other concerns.
- Other common concerns included:
 - Permanence of easements

- Limitations on development
- The Agricultural Management Plan (AMP)



Value	Percent	Count
The easement in permanent	21.4%	6
Limitations on development	21.4%	6
That the land always be actively farmed	10.7%	3
Limitations on activities that remove soil (sod, ball and burlap, etc)	39.3%	11
The Agricultural Management Plan	21.4%	6
None of these particularly concern me	28.6%	8
Other - Write In	28.6%	8

Detail about concerns

- **When asked to say more about their concerns, the most mentioned included:**
 - **The permanence of easements** – Many respondents were nervous about not being able to revoke an easement if their circumstances change in the future. They said they want to keep their options open.

“I like the idea of preserving the farmland, from my point of view not that I would never do it, but my concern would be that it's permanent when you don't know what the future really holds. I'd want to know really the numbers. I love the idea [have

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done some conservation projects], but if I was to hold something in forever then all my heirs would have to abide by that."

"The permanent thing is a turn off for me as the original person putting this into place, I'd want some flexibility there because the surroundings around here change so much and the way things are going...I do really appreciate that there are those that see it and want to protect it [farmland] before it's too late, I'm torn there. Still, it's tough to step in there, and you're right it is the whole permanent thing with unforeseen future that's the hang up for me...We haven't done it because of that."

- **The Agricultural Management Plan (AMP)** – About a third of respondents also said they know very well how to care for their property and are not interested in having someone from the outside tell them how it should be done. This was exacerbated by the feeling that EMSWCD staff are not farmers and a sense of division between urban and rural residents. A few also said farmers already have enough paperwork to complete and this would add bureaucratic burden.

"When you spend your entire life dealing with that stuff on a daily basis, you learn what works and what doesn't work. I'd be open to suggestions, but I wouldn't necessarily want to do exactly what somebody sitting in chair is going to tell me."

"I'm not necessarily by definition opposed to it; I just think it's a well-intended thing by a group of people with a little bit of an activist mentality that haven't been active farmers. It's a bit arrogant to constrain things that will help others be successful."

"They have a lot of ideas of what we should be doing, they're not farming, they work for the government."

- **Concerns about duplication of the Exclusive Farm Use (EFU) zoning regulations that already limit development of farmland** – Another common concern that arose was the sense that the EMSWCD working farmland easement program duplicates existing government zoning regulations and is not necessary. A couple saw it as an example of government waste and inefficiency.

"My first initial reaction is that government shouldn't be concerned about it. The government already has regulations in place, so I can't sell [for development]. I think it's kind of a redundancy issue... My first thought is I think they should just abolish the whole program, as a taxpayer, I don't think it's an effective way, the zoning rules that are already in place are protecting farmland."

- **Limitations on ball and burlap nursery production**
 - **About a third of nursery farmers we talked to said these limitations were a deal-breaker for them.**

"It definitely limits the people that are willing to participate in it. It's a very specific person that would be willing to do that. Tying the land up, and not building any infrastructure. As far as switching away from ball and burlap, seems more burdensome than it is financially viable."

"I've got a nursery; I ball trees and ship them out. I heard that if you do balled trees, you can't be in [the program]. If I can't ball trees then I'm out of business, there would be no reason to sell my property. If I can't be in business, I might as well sell to a developer and get a ton of money and be gone."

- **Other concerns shared included:**

- **Government overreach** – several respondents feel the easement program (and Land Legacy Program in general) is an example of government overreach
- **Restrictions on development** – these were regarding wanting the option to house two or more families on the property to farm collaboratively or giving heirs the option to build a new home or expand the current home.

"Conceptually I like it, my concerns I have, which I would say are common themes, our intention is to keep this property and have our kids inherit it, and I think intact farmland is fine and setting up some kind of trust would be good, but I don't know what it would look like if they [kids] wanted to build another new residence. I just don't know, that would feel bad if they wanted to do that [could not develop per easement limitations], that's one concern."

"We want to have a farmstead and have 6-8 people living on the farm sustainably. Having 1 family on 18 acres doesn't make sense anymore, but I have to fight with the county to show them I have \$80,000 of income per year to have another dwelling on the farm. The only way I can get it permitted is if I gross \$80,000 or more in farm income. It turns out, we are farming at a net loss. Why is the county telling me I need to [earn] this money to make my farm work? The district needs to get with the county and change our local system. I just spoke to a woman the other day who bought a [perfect piece of farmland in the district], her biggest obstacle is the county. She'd love to have people living there together, but the county is terrified of development, but what does that mean? ... We get it - I'm not selling the land to have a high-rise building, or traditional housing, but what if it was a tiny house community with super sustainable dwellings and people who want to be there to be healthy and contribute to the earth?"

- **Concerns about easement properties being poorly maintained** – Two equated easement properties with the Headwaters Farm and other properties they think are connected to the EMSWCD Land Legacy Program that they see as weedy and not well maintained.
- **Worried about government control** – A couple of respondents shared their concern with having government control over their property.

"I would not give up the right to be free on my own land, to push away whoever I want to, to the District, to a board of directors. The reason I came out here was to have the power to make a difference in the way I see is possible. I don't want that to be bounded by some organization. Their mission is to have me not develop the farmland, there is no doubt I will

not develop the land. It would be so much wiser to talk about what really matters and stop trying to control...nobody wants to be controlled by an organization if you don't have to be."

- **Impacts on lessees** – Another two were worried about the impacts the easement program could have on farmers who are leasing their land.
- **Easements could limit future buyers** – One respondent was concerned about limiting their future buyer pool by putting an easement on their property.

Less common terms and limitations

For those replying by paper mail and those who said the common terms and limitations were not concerning to them, Jamie asked about a few less-common terms and limitations, including:

- Requiring that the land only be sold to other farmers
- If a proposed resale price exceeds the agricultural value of the property, the easement holder (in this case, EMSWCD) would have the option to purchase the property at its agricultural value.
- A requirement that future resale price be limited to the agricultural value of the property.

Half of respondents who answered this question said they would not want to limit a future sale price if someone wanted to offer them something over the agricultural value of the property. They were not concerned about being required to sell the land to other farmers.

"If a farmer's able to afford to purchase for above the agricultural value, I'd like to be able to do that rather than the agricultural value because the agricultural value will probably be set by some formula that might not reflect the market conditions. I'd prefer an open market situation, understanding when the next buyer buys it, it will be restricted to farming, which will limit the number of people who will want to buy it, as opposed to a developer, but if a future generation farmer comes in and says "we have a fairly good offer, I know I can do \$100k per acre per year, that would be a million dollars, I'd be willing to buy it for \$700,000" and the agricultural value comes back at \$500,000, that would be a bit of a problem for me."

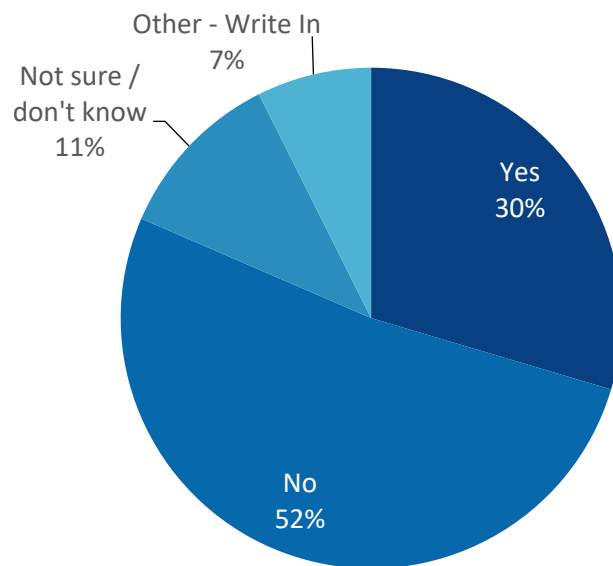
Thoughts about payment amounts for easements

- **About half of respondents said \$12,000 per acre is not enough to encourage them to consider an easement.**
- **About one third said \$12,000 was enough.**
- **A little less than one-third said \$12,000 would be ok in some situations, or they were not sure. Some said the amount they would need would depend on the size of the property.**

“All depends on the ground - some land will never be developed, some on the edges of the UGB [that will be more valuable]. Location is big variable, as a median [\$12,000] probably a little low, but not bad.”

- For those who said \$12,000 per acre was too low, their suggested payment amounts per acre varied:

Amount per acre	Number of respondents
\$20,000-\$36,000	4
\$50,000	1
\$100,000 or more	1
No amount would be enough	2



Value	Percent	Count
Yes	29.6%	8
No	51.9%	14
Not sure / don't know	11.1%	3
Other - Write In	7.4%	2
	Totals	27

What would make terms or limitations acceptable, or otherwise encourage respondents to consider an easement

- **The most common recommendation was to be flexible in the limitations that are required and based them on the needs of the individual.**

“Work closely with each individual’s needs so they can work through the issues that would prevent somebody to do it. I think if they stay on that page, to where they meet the needs of the landowner yet still be there to protect then they would break down that barrier of the nervousness. The flexibility, because it is important to save it [farmland] and I want people to be able to do it.”

- **The most mentioned type of flexibility was allowing nursery farmers to continue ball and burlap nursery operations.**

“You’ll lessen the buy-in not including the nursery people. If they could participate there would be more land on the market, you’re taking out potential participants - maybe another hybrid there - maybe have some type of other offset.”

“If the b and b [ball and burlap] clauses weren’t there, there are properties that would possibly be more likely to get in that conversation with them; more working with the farmer to make a plan and not requiring certain things to keep their property up to their [EMSWCD] standards.”

“If they were to look more into nurseries; our area is very dense with nurseries, if you’re not going to be able to accommodate that in your plan, then you’re not gonna have much interest.”

- **Some said more money for easements would encourage them**

“More money, we didn’t get into this to make money. We did get into it to make enough to live.”

“With the inflation going up they should consider higher pay as for most of us the land is where we have worked our whole life and is our retirement.”

“If they want to buy farm easements, they need to be able to pay more. Mainly a financial incentive because we’re all businesses and it’s getting harder to go.”

- **Less commonly mentioned recommendations included:**

- **Simplify Agricultural Management Plan (AMP), and include cost-share**

"A written-up plan is always a pain for farmers. We're already dealing with so much of that stuff, it's a pain. We just throw our hands up in the air. Maybe just generic [plan], super simple and easy - if it is too cumbersome people just won't do it. Maybe have some type of cost share [to compensate for plan activities]."

- **Offer tax credits as an incentive**

"If it's considered a real property sale, you'd have to pay the 25% taxes on the sale. If they'd forgive that, it would make it better. That's a question - is it tax free?"

- **Offer a revokable or term-limited option for the easement (option to make not permanent)**

"Perhaps if there was an opportunity to review every 20-30 years and if the [owners] decided it was not what they wanted to continue doing they could pay back EMSWCD whatever funds were given to them for the initial investment, with consideration for inflation or increased land values. Would probably improve the chances of people wanting to participate. 30 years is more easy for people to envision than permanent."

- **Only include the restriction on development and remove all other terms and limitations**

- **Flexibility in some types of housing development**

"It's nice to keep the cost of land down, but a bummer you can't potentially put up a second home, not necessarily developing it but if you have family members, having some level of exemption if it was a farm family, if you have a certain amount of acres....Maybe if you could build one more house if it was farm related."

- **Include conservation-related maintenance as part of the easement**

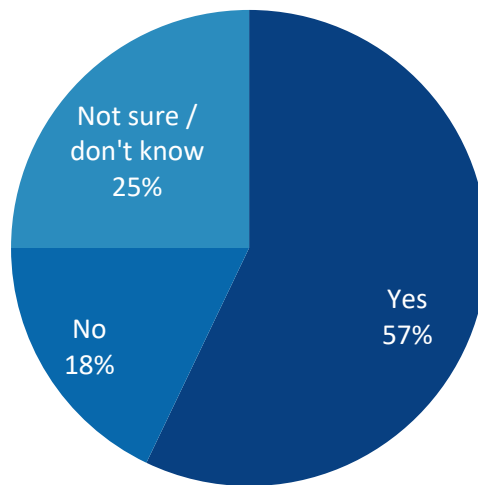
- **Provide public recognition**

"Maybe some type of public recognition program similar to century farm designation; something to put up to show neighbors your commitment, get more value buy in from community, that would go a long way and not cost very much."

3. Sale of land to EMSWCD

Willingness to consider selling to EMSWCD

- About half of respondents said they would consider selling their land to EMSWCD when they are ready to sell. About one-third said they were not sure, and slightly less said they are not interested.



Value	Percent	Count
Yes	57.1%	16
No	17.9%	5
Not sure / don't know	25.0%	7
	Totals	28

Interests in selling to EMSWCD

- Those who were open to the idea said a competitive offer from the district would encourage them. A few saw the district as similar to any other potential buyer that would make an offer. Some said assessed market value would not be enough.
- About half of those who were willing said if they were going to sell, it would feel good to know the land would stay in farming.
- Some felt selling to EMSWCD is a better way to go rather than selling an easement because it comes with less overall restrictions for the seller and might be easier than finding a farmer to sell to.

"Just to give me a fair offer, I'm interested in the first offer of the easement rights, and I'm interested, secondly, if they want to buy it outright. I'm interested, but I want to get what I consider to be fair. I know what the county considers to be fair [disagrees]."

"Because it would keep it in farming, if we sell it to someone else, for the time being it's not going to be developed, divided up, at least not now. I would like it to stay in food production. Seems like a great thing if we get fair market value for it and assurance that it would stay in agriculture, because if we knew it would be developed if we left, I might just stay in poverty and fend off the wolves at the door. I really would like this place to stay in agriculture of some sort. Then we could move on to a place that's easier to maintain and be confident that somebody else is going to carry on our legacy. That sounds very pleasing to me and my wife."

"In fact, I've already got a particular piece in mind that I've already targeted for that. Because I think if the price was fair, I would just as soon see them have it. A lot of times they always tell you the best buyer is selling the property to your neighbor. I've already done that... but I do have some civic responsibility, if it's apples and apples, and not apples and oranges, what makes a difference?"

Concerns about selling land to EMSWCD

- **Some nursery farmers expressed concerns about negative impacts EMSWCD land purchases could have on the local farmland market.** They felt EMSWCD would add a competitor flush with cash that would make it harder for other local farmers to buy the land when it was available.

"It sounds good, but the problem is when the EMSWCD comes in to these guys, say they're 80 or 90 years old and they have all this farmland and want to sell, EMSWCD comes in and pays them cash. That's all fine and good, I'd never blame the farmer selling for going that route, but the problem is it doesn't give people like me the opportunity to lease or purchase the ground because I can't come up with that cash. The problem I see is they're gonna buy up the farmland and it's gonna eliminate me from being able to compete at all and continue what I have going on my farm and others in the area. Our area was started with growing berries, the berry market fell off, and they started growing nursery stock - in a 2-mile radius, you could have 5 nurseries. It's the main thing in this area. It's going to eliminate them being able to further their business, or for people like me up and coming won't have the same opportunity to grow my business because of them buying up the land. With them coming in and paying cash, if they pay asking prices or top dollar, that's gonna inflate the market, or pay these guys more than they're property's actually worth - does it have a well, does the soil test well - there's a lot of interior things people don't think about that comes into play when you're purchasing or leasing ground. Ground can go anywhere from \$100 to \$500 dollars per acre per year depending on water and soil. When EMSWCD comes in, they pay top dollar for it, they don't take any of these into consideration, throws us under the bus. Then I have to explain to them [farmland owner] why their land isn't worth \$500 dollars an acre [per year]."

- **Some said the program discriminates against nursery farmers because the limitations on ball and burlap that would be placed on the property would make it unavailable for them to buy or lease.**

“Since they say they want to go away from farms that take topsoil, we do that. We wouldn't have the opportunity at that land, the only person who will have that opportunity is the person growing the berries and vegetables and selling them at the Saturday market.”

“I would argue, with the exemption of pot and hemp farming, nursery stock is far and away the most lucrative thing to do in this area, the land values are generally driven by that fact. If you preclude b and b operations on a small farm, then you essentially preclude nursery farming period, the only other way to do it is with equipment that is not cost effective to purchase. I could not afford to purchase a quarter-million-dollar machine to harvest my crops, doesn't make sense for my size of operation. Program cherry picks what types of operations can exist and is eliminating the one in this area that is proven to be effective. Setting up people for failure.”

- **A couple said EMSWCD purchasing land and reselling it below market value interferes with the free-market economy.**

“I have more of a philosophical problem with that path than just paying for the easement because I feel like it manipulates the market, puts another competitor in the market who is flush with cash and arbitrary. An unintended consequence that is making local farmers less viable. Individually, if they were willing to pay me the most for it, awesome, does it accomplish saving farmland? I don't think so because it's competing with other farmers in an unfair way.”

- **One shared concerns that property purchased by the district would not be well maintained and would create a poor impression of the program in the local community.**

“I know someone whose property was sold to the SWCD and it has essentially gone into disarray because they [EMSWCD] haven't been able to find someone to manage it. It takes a lot of work, to ask someone to make the biggest investment of their life and then ask them to commit to \$30,000 maintenance per year, maybe that's actually good for the land, I would argue in the district's own experience, is that it's difficult when they have it to maintain it, when they have the money. How do they expect to enforce it on somebody who can barely afford it? It's an arbitrary thing. In practice, I don't know how you do a good job of enforcing it, and if you aren't and you have 10 properties [for example] as the program grows, and you see 3 of them going into disarray, what does that say to others?”

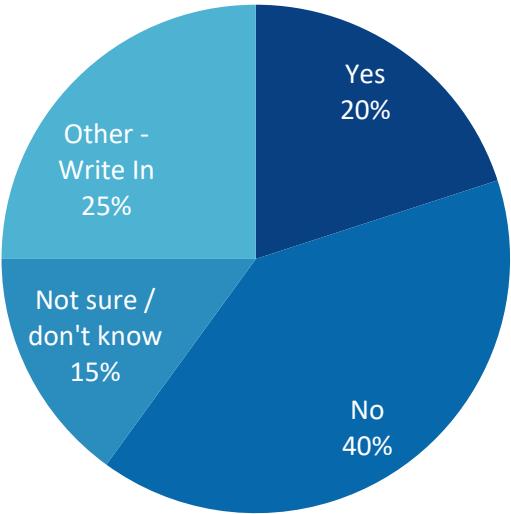
Would an offer of \$10,000-\$15,000 for the first purchase right be interesting to you?

- **Twenty people answered this question. The most common response was no. About one quarter said yes, and another quarter said they were not sure. Two people said they would need at least \$100,000 for this option to interest them.**

I'd have to know what the contract was and would hate to have something tied up, I would more so [prefer] when we're going to sell to talk to them and let them make an offer at that time, if we were ever going to sell.

Not necessary for me, they could come in and tell me what they are offering, they don't need to lock me into that. When the time comes to sell, I'll let them know they can make an offer and we can take a look.

Why wouldn't I be open to that? I would think anybody would be open if it's first right of refusal, I think it's ok. Make it the \$15,000 and I'd be on board for sure.



Value	Percent	Count
Yes	20.0%	4
No	40.0%	8
Not sure / don't know	15.0%	3
Other - Write In	25.0%	5
	Totals	20

What else would encourage to sell to EMSWCD

Respondents shared a variety of things that would encourage them to sell to EMSWCD. Each of these was mentioned by one person, including:

- **Clarifying not staying in government ownership** - Making clear that EMSWCD will sell the property to another farmer, not keeping it in government ownership

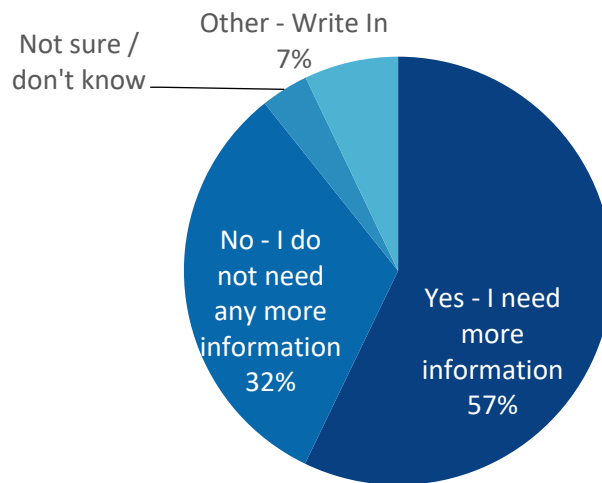
“That's the one thing I like that turns of people about Metro, then it's the government owning it, you're [EMSWCD] keeping it in private ownership, it turns people off Metro - they want another alternative. A lot of older people would like to see it stay in farming. Key to promoting is 'we're not here to own this forever', but held in private hands, not the governments hands. Like that you're turning it, facilitating, not holding forever.”

- **Ensuring the farm did not become a nursery** - One said ensuring the farm would not go into nursery stock production was important to them.
- **Flexible timeline** – allowing farmer to decide when was ready to sell and leave property
- **Include equipment in the purchase** – one farmer had assembled equipment specifically suited to their farm and would want that to be passed on to a future farmer
- **Lessee input** – one said they would want to get their lessee’s approval before selling
- **No high-pressure sales tactics** – another said it was important that they not feel pressured into a deal with EMSWCD

4. Information needs and preferences

Need for more information

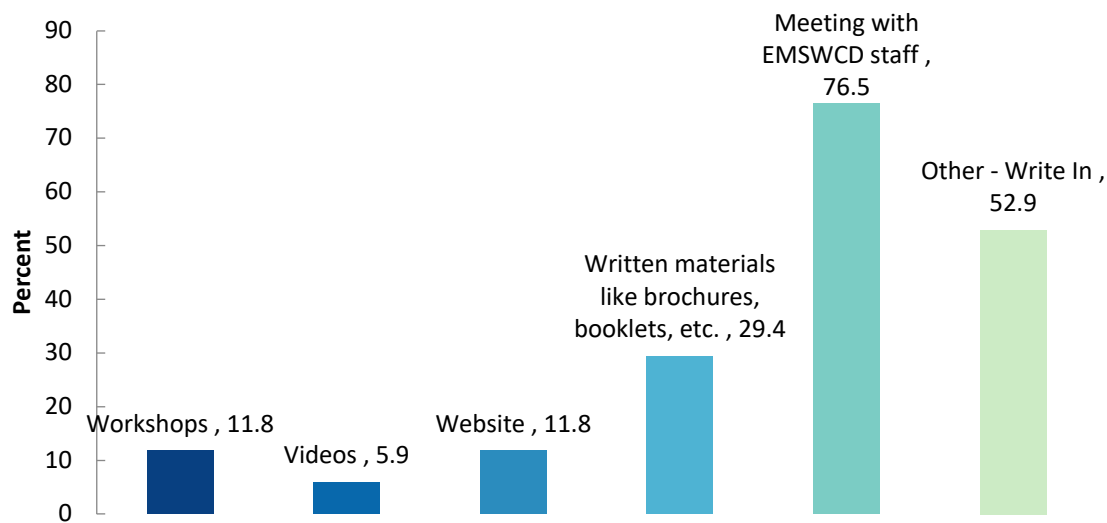
- After the survey conversation, Jamie asked if respondents felt they had the information they needed or would like more information. More than half said they need more information, while about one-third said they felt they have all the information they need.



Value	Percent	Count
Yes - I need more information	57.1%	16
No - I do not need any more information	32.1%	9
Not sure / don't know	3.6%	1
Other - Write In	7.1%	2
	Totals	28

Information preferences and requests

- Most respondents said they would prefer a meeting with EMSWCD staff to learn more.
- Written materials were the next most mentioned.
- Some expressed interest in future meetings at the Grange or Farm Bureau meetings.
- Several had specific questions about how the prices for easements or purchase offers were calculated.
- One requested recommendations for others they can talk to about easements, such as accountants.



Value	Percent	Count
Workshops	11.8%	2
Videos	5.9%	1
Website	11.8%	2
Written materials like brochures, booklets, etc.	29.4%	5
Meeting with EMSWCD staff	76.5%	13
Other - Write In	52.9%	9

Communication preferences with EMSWCD staff

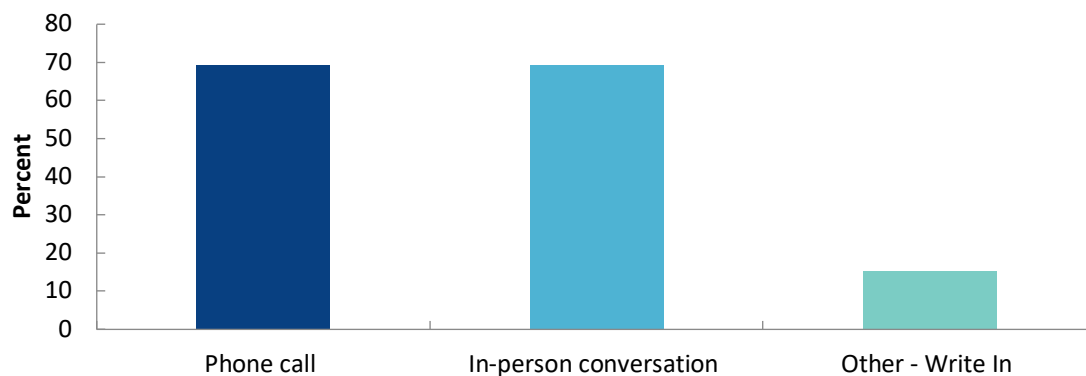
- Those who wanted to speak to EMSWCD staff said they preferred in-person or phone conversations. No one said they preferred a video call.
- A couple of respondents said EMSWCD staff are good to work with.

"They've done a really good job with their workshops. They're easy to talk with, seem like good people. I really think they're doing a good job with everything except farm easements."

"Matt and Jeremy are nice to talk to."

- One person said they really appreciate farm visits.

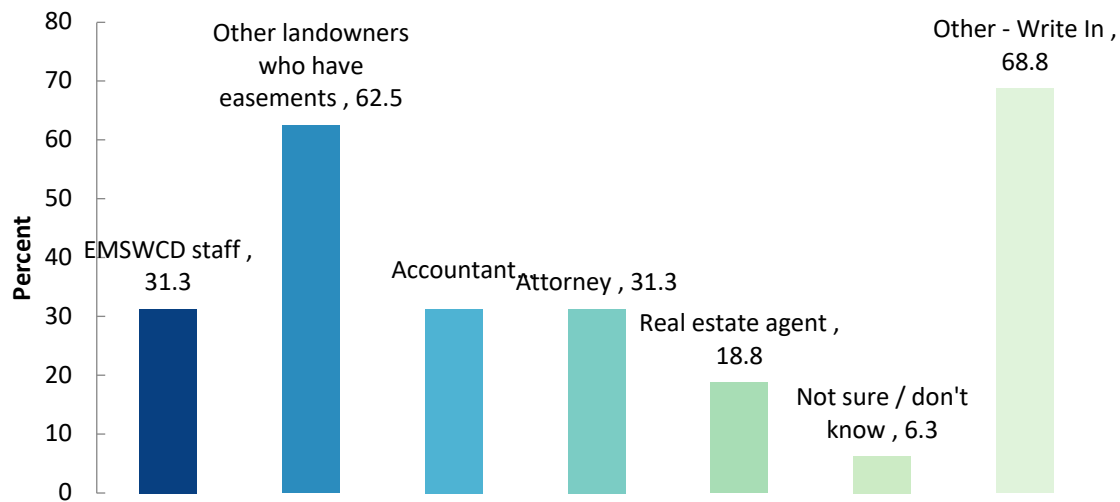
"I love when they come the farm, come and walk the farm with me, the more they know about my land and making my farm viable, I love that, planning knowledge is helpful, checking in on us, finding out what we need, what obstacles are in our way, how they can help remove them, that kind of consultant role is huge."



Value	Percent	Count
Phone call	69.2%	9
In-person conversation	69.2%	9
Other - Write In	15.4%	2

Who respondents would most like to hear from to learn more

- Other landowners who had participated in the program were the people respondents most wanted to hear from (this included most responses in the "other" category).

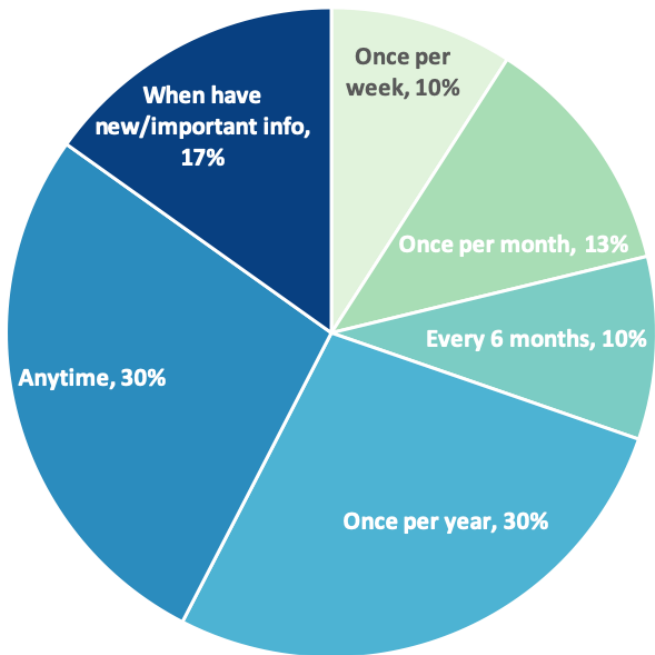


Value	Percent	Count
EMSWCD staff	31.3%	5
Other landowners who have easements	62.5%	10 + 7 (from 'other')
Accountant	31.3%	5
Attorney	31.3%	5
Real estate agent	18.8%	3
Not sure / don't know	6.3%	1
Other - Write In	68.8%	11 (7 of these said landowners)

How often would you like to hear from EMSWCD about working farmland protection?

- There was a wide range of preferences for contact frequency from EMSWCD. “Any time” (from write-in answers) and “once per year” were tied for most reported. Next most common was “anytime something new or important came up”. Some people said they did not want to get emails every day, but many said they already get a lot of junk mail and more wouldn’t be an issue. Some said the topic is important to them, so frequent contact would not bother them.

“Check in when you have something to offer, not when you have no good reason, but when they have something new or a possible potential, could call me every day.”



Value	Percent	Count
Once per week	10%	3
Once per month	13%	4
Every 6 months	10%	3
Once per year	30%	9
Anytime	30%	9
When have new/important info	17%	5

5. Advice for EMSWCD as they work to protect working farmland in East Multnomah County

- **Increasing the payments made to farmers for easements and land sales was the most mentioned recommendation.**

"They've got to be Johnny on the spot when someone wants to sell and be able to pay what the real market value is, it's not \$15k per acre, I'll give the guy \$16k or more per acre, I get a kick out of that, people won't actually sell for that. They've got to be Johnny on the spot and offer people what the value actually is - to offer me half a million dollars to sign the contract to give up some of my property rights, that's a nice thing to do, they want to keep it natural and so do I once I'm gone, I'd like to see it natural for 1,000 years. They are trying to do the right thing, they just gotta be aware that for people to take the first step they've got to give the true market value of what it is, not what the county says it is."

"What they're doing - it just takes a big incentive and then you can feel good about it, not obligated, not as a great civic responsibility, and you're gonna make a big donation to the greater world for the greater good. The incentives. People always ask me, I'm a veteran, my straight-faced answer has always been they paid me for what I did and I like to think the country got its money's worth. that's the way I feel about this too, they paid me for what they wanted out of me, and I'm hoping they get their money's worth. I'd like to see them pay me well, and I'll feel good about the fact that they got their money's worth."

- **Continuing to offer or increasing other types of technical assistance to farmers** - Some participants said they really benefitted from the district's technical assistance programs and they think the district does them well. A few thought this was a better use of resources and more supportive to farmers than buying land or increasing land use regulations. A number of farmers said they were already in alignment with EMSWCD and were not planning to sell their land for development.

"I'd say drop the easement program, use your resources in a much smarter way: advocate, make policy, go to D.C., make an actual difference instead of a reactive difference, teach people about food systems and regenerative agriculture, change the world. The district has a ton of money and sway over resources. Get farming in the city, get houseless people into structures they can build, teach them how to garden and get water, and build collective of farmers who will never let developers near their land, but in the spirit of support of each other, not through money. If their money was more spent on either service or creating opportunities for farmers, I think it would be much better spent... Make themselves [EMSWCD District area] a model of a different food system, different use of resources, way of collaborating, create the way... I don't want to have to answer to the district, I want the district to support me... Until we start paying enough for our food, we cannot make it work even if the district is throwing money at us. We either need the district to work on opening the market, or bringing us together at scale, that is the kind of work that to me would make more sense, rather than try to pay to keep the farmland in farmland. Or other creative business solutions, like helping figure out some extraordinary niche that East Multnomah County can farm and putting it out there - I'm thinking of near Salem they are farming olives - figure out a whole new world for us to work together to build..."

Connections, knowledge, expertise, markets, collaboration, education is a way better use of resources.”

- **Listening to landowners and building relationships over time** - Some talked about the tension between farmers and the government and the sense that government doesn’t listen or want to work with the people. Quite a few appreciated the outreach and listening accomplished through this opinion survey project. Some feel EMSWCD staff are not farmers and outsiders to their community. They recommended being more open to the farmer’s perspective and not assuming they don’t have good intentions. A few said it would take time and effort to build inroads in the community. One said having staff with farming experience that work in the community would be helpful.

“What you’ve done is good [interviews], in getting the message out. If a government agency called me, I’d be probably a lot less open and vulnerable to talking directly to the government that might want to punish me later. That’s good.”

“I think the biggest thing right now is understanding the people. They’ve been through many changes through their existence as farmers and landowners, if they’re apprehensive about talking there’s reasons behind that. People [outside agencies] need to learn to be patient and understanding and let them know you’re willing to work with them on what they need, not what the county or the state or whoever needs. That’s the hardest part of businesses - a lot of the agencies tell the poor client ‘you have to do what we say’, not ‘we’re here to help you, we’ll work with you’. I think some of the old timers out here need to be just reassured that your intention is to have a win-win situation for everybody. A lot of them think the government is out to get them. This is an old community. They are going to be a little bit nervous and apprehensive.”

“They are trying, credit for trying, have struggled with connecting with farmers in the land legacy program. I’m not mad about it, but I could give you a list of people who are very angry because it has affected their business, not being able to lease land they wanted to and competition for buying property. I’m not angry about it, but they’ve struggled to get inroads with the local community. The more they can do to get those inroads…”

[Recommendations for connecting to community:] continuing to be present in the community, having more people out here closer rather than in Portland, hiring people that have real world experience, most farmers are pretty real world-ish, investing in those types of people would give them more credibility. Farmers are by nature not super trusting of some government entity, I think that’s a stigma they have to figure out how to get over, they’ve been able to do that on some level, it takes investing in the local ag organizations and community so people see you not as an outsider but as part of the community, doesn’t happen overnight.”

“A lot of times, government entities don’t have ‘bedside manner’. When you get a [government person] that plays by strict rules in the same room with a farmer that grew up on the land, it’s like oil and water. I believe there should be requirements - however, I also have seen where [building] inspectors have no manners, they don’t grok who they’re working with, they don’t understand that by trying to be empathetic they might be able to have a working relationship rather than an adversarial one. I believe in the basic premise of preserving the soil and water, it’s why we got into farming, however, I can’t say I’ve seen this with EMSWCD, but it being government, I would hope they would approach people in a way that would build community and try as hard as they can to understand the people they’re working with. That’s what I tried to do, tried not to put our differences to

the fore, but the things we have in common. Sometimes it's the people that are diametrically opposed to me in a lot of ways that are the most help on the farm, the kind of people that will come help you put plastic on the greenhouse or fix the barn, sometimes it's the people I don't have agreement with in many ways, but they are people of the land who understand community. For people at the SWCD not to be walking on eggshells but to try to be cognizant of who they are working with. I got the feeling from building inspectors [in the past] that all they were doing was making enemies, you could be working in a way to show you are just trying to do the job for the community, they are just being rigid."

- **Some do not feel easements or land purchases are a good use of taxpayer dollars.**

"My first thought is I think they should just abolish the whole program, as a taxpayer, I don't think it's an effective way, the zoning rules that are already in place are protecting farmland."

"When you start spending other people's money is when we get all frustrated."

- **A few requested decreased regulations on farmers** – Some said there are many regulations on farmers that make things difficult for them. They recommended that EMSWCD not add to the regulations they already face, or minimize what they require of farmers who buy land from the district or work with them on other projects.

"I know they sold a piece [of farmland] to [local family] and it comes with a book of 100 pages of you can and can't do. If they were said some way to be more to the point and clearer, easier to work with when selling farm property."

"I've worked on a couple of projects, have been pretty good, however would encourage them to consider that they potentially exclude projects by wanting a perfect solution over an improvement. Balancing act there, spending public money to benefit soil and water, accepting that perfect solution isn't always necessary but may still have significant benefit."

"From a buying perspective, if they made it too hard, I'd just rent from somebody. Then you'll [EMSWCD] be stuck with it [not able to sell]. If you get too carried away, that's where it gets challenging. It's one thing to say you're never going to build 20 houses here, but if they want to manage all your cropping decisions, it's exhausting, and it's still a lot of money to buy it. The alternative is just to rent or buy from someone else for a little bit more. Gotta be careful about that. Come up with some creative idea. Main thing is just not over-burdening the new landowner. Sounds pretty decent for selling property, a lot of people aren't going to do it if it just becomes too cumbersome [restrictions] then you gotta be out there policing people and get a bad reputation, gotta make everything reasonable. If you sell ground, and how much you're gonna control cropping practices, you put yourself in a difficult position. There's somewhere in between I think."



Priority Farmland Owner Survey Results and Possible Programmatic Adjustments

East Multnomah Soil and Water Conservation District

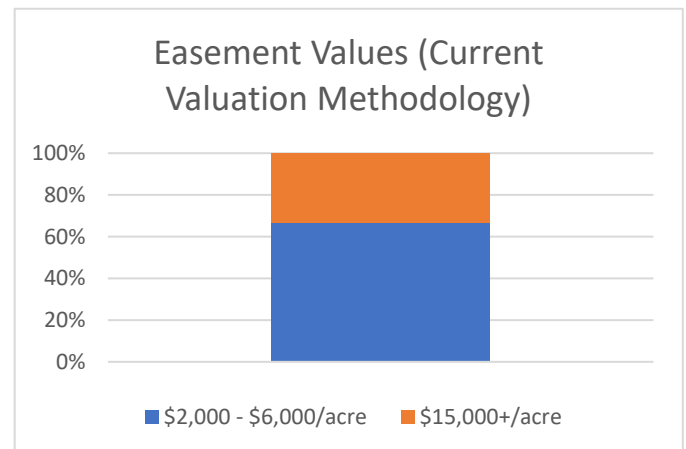
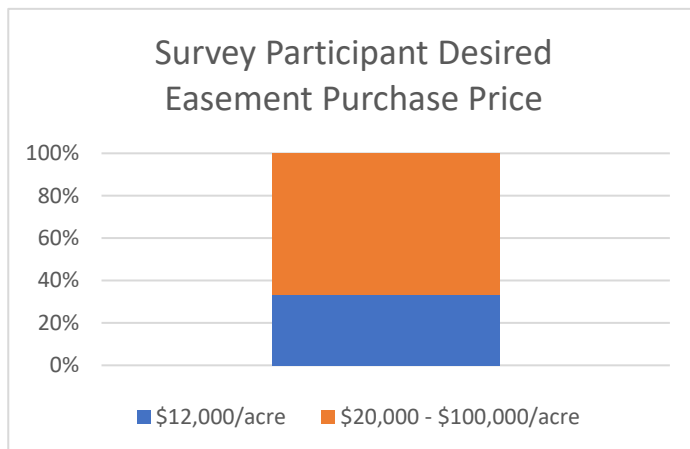
7/25/2023

Executive Summary

This memo highlights key findings¹ of the recent survey of high priority farmland owners and suggests some possible programmatic adjustments informed by this engagement. **At its July 31, 2023 meeting, Staff will present the survey findings as a lead-in to a discussion with the LLC about how these results inform potential adjustments to our program. We expect this to be the first of several conversations about the results and possible adjustments.**

Key Findings

- Program participation has and will continue to be limited until we strike a better balance between Land Legacy Program (LLP) incentives and LLP restrictions.
- Potential program participants support many of the LLP objectives but have misconceptions about the program and many do not trust the government as a partner.
- Our current method of valuing easements does not result in an amount attractive to most potential participants (see below and endnote).ⁱ



- LLP restrictions on farming practices (Ball and Burlap prohibitions, Agricultural Management Plan requirements) are identified as a significant barrier to LLP participation, especially among nursery operators (the District's most significant agricultural sector).
- Potential participants most want to hear from other program participants. Outreach is best conducted face-to-face and raising awareness about the program and relationship/trust building will take time.
- When folks are ready to sell their farm, they would prefer to sell to EMSWCD (provided the purchase offer is competitive).

¹ The full summary report findings have also been provided to the LLC.



Priority Farmland Owner Survey Results and Possible Programmatic Adjustments

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7/25/2023

- Most of the findings were not unexpected, especially the barriers to program participation.

Potential Programmatic Adjustments

- Continue to focus on creating a path towards attractive easement purchase offers (as discussed at the last LLC meeting).
- Further incentivizing and/or making optional agricultural practice changes.
- Where necessary to advance a transaction, utilize term easements.
- Expand collaboration with Oregon Agricultural Trust – for everything from outreach to easement holding.
- Consider additional incentives² for early participation.

Outreach and Engagement Recommendations and Adjustments

- Review and adjust messaging to address misunderstandings, concerns and preferences.
- Identify opportunities to amplify the stories of past program participants with landowners and priority audiences.
- Promote program changes/updates and develop new stories as changes bring in new participants.

Feedback Requested

- **General impression of the survey results? Any surprises?**
- **Questions about the survey results?**
- **What specific potential programmatic adjustments would the LLC like to dig deeper into at future meetings?**

² Incentives could include additional consideration (such as reduced closing costs, cost-share contributions), proceeding with projects that might not otherwise be as competitive if the field of opportunities was more robust, etc.)



Priority Farmland Owner Survey Results and Possible Programmatic Adjustments

East Multnomah Soil and Water Conservation District

7/25/2023

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- For those who said \$12,000 per acre was too low, their suggested payment amounts per acre varied:

Amount per acre	Number of respondents
\$20,000-\$36,000	4
\$50,000	1
\$100,000 or more	1
No amount would be enough	2