



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

(January 16, 2024)

Monday, January 22, 2024, 4:00 – 6:00 PM

To be held at the EMSWCD Office (5211 N. Williams Ave., Portland, OR 97209)

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 December 13, 2023 meeting minutes 	Information/ Decision	Guebert	a) 12/13/2023 LLC Meeting Minutes Previous Action Items
2	4:10 5 mins	Time Reserved for Public Comment	Information	Public	N/A
3	4:15 20 mins	Lower Columbia Estuary Partnership (LCEP) Proposal	Information/ Discussion	DiLeone/ LCEP	a) Summary Document
<p><u>Overview:</u> Staff from LCEP will present a proposal to create a cold water refugia in the Columbia River and the specific ask of EMSWCD. LLC members will have an opportunity to ask questions of LCEP staff.</p>					
4	4:35 65 mins	Executive Session under ORS 192.660(2)(e)	Information/ Discussion/ Possible Decision	Kohl/ Kent/ Shipkey/ LLC	Executive session materials to be sent separately.
<p><u>Overview:</u> Kohl and Kent will present on an Outgrowing Hunger partnership opportunity. Shipkey will provide an update on the current work developing an alternative easement valuation methodology. Shipkey will provide a brief update on active transactions and ask the LLC for guidance on a new opportunity.</p>					
5	5:40 5 mins	Land Legacy Program Outreach Plans	Information	Shipkey/ Kent	N/A
<p><u>Overview:</u> Shipkey will briefly overview the status of LLP outreach plans.</p>					
6	5:45 10 mins	Oregon Agricultural Heritage Program (OAHP)	Information/ Review	Shipkey	a) Draft Letter b) Background Document c) Talking Points
<p><u>Overview:</u> Shipkey will ask for the LLC to review a draft support letter for OAHP funding and inform the LLC members of individual advocacy opportunities.</p>					
7	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					
Joe Rossi	Zone 1 Director		X	2023	July	5	31
Laura Masterson	Zone 2 Director	Secretary	X		August	16	
Mike Guebert	Zone 3 Director	Vice-Chair	Chair		September	6	25
Jim Carlson	At-Large 1 Director	Treasurer	X		October	2	
Jasmine Zimmer-Stucky	At-Large 2 Director	Chair	X		November	6	27
					December	4	13
				2024	January	3	22
					February	5	
					March	4	25
					April	1	
					May	6	29
					June	3	



12/13/2023

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

Wednesday, December 13, 2023

4:32pm - Call to Order

Guebert called to order the regular meeting of the EMSWCD Land Legacy Committee at 4:32pm on Wednesday, December 13, 2023, at TaborSpace Annex Room in Portland, OR.

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

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

Land Legacy Committee: Mike Guebert (Zone 3 Director, LLC Chair), Jasmine Zimmer-Stucky (At-Large Director 2), Laura Masterson (Zone 2 Director), Jim Carlson (At-Large Director 1) (4:37pm), Joe Rossi (Zone 1 Director)

Staff: Nancy Hamilton (Executive Director), Dan Mitten (Chief of Finance & Operations), Julie DiLeone (Rural Lands Program Manager), Matt Shipkey (Land Legacy Program Manager), Asianna Fernandez (Executive Assistant), Heather Nelson Kent (Community Outreach and Education Program Manager)

Guests: Terri Wirkkala (EcoNorthwest)

Changes to Agenda:

Previous Action items:

- **DiLeone/Shipkey** to look into NRCS's requirements for conservation plans. -Done
- **Shipkey** to bring recommendations on soil-removing practices to the October Board meeting. -Done
- **LLC** to further discuss tour recommendations to tour ball & burlap operations. -LLC members to decide whether to take forward
- **DiLeone** to resend the Agricultural Management Plan template to the Board. -Done
- **Shipkey** to continue the discussion on Dancing Roots disposition at the December LLC Meeting. -Done
- **Fernandez** to reschedule the November LLC Meeting to December. -Done

4:33pm - Approval of September 25, 2023 Meeting Minutes

MOTION: Zimmer-Stucky moved to approve the September 25, 2023, LLC Meeting minutes. Masterson 2nd. Motion passed unanimously (4-0, Carlson absent).

4:34pm – Time Reserved for Public Comment: N/A

4:34pm – Farm Succession

Shipkey shared information about the recent Farm Succession workshop at the Multnomah Grange in late October, that the District hosted with Clackamas SWCD. Dianna Tourney – our long-time presenter did a great job presenting again – and the Oregon Agricultural Trust helped with coordination and screened a video on farm succession. There were 10 attendees, which is normal for this event. Guebert attended.

Guebert was looking forward to this workshop, Dianna was great. She does a class as well, and he's considering taking that too. Everyone who was there appreciated it and the info seemed well received. What's next?



12/13/2023

Shipkey Still planning to do this workshop in-person, but also maybe adding an on-demand video series. EMSWCD, Clackamas SWCD and Tualatin SWCD have been discussing this with Dianna.

Masterson The in-person offering is a good way to start and build relationships with farmers. Sometimes people come repeatedly and engage in different ways. If it's consecutive, people can tell others about it, too.

Carlson arrived at 4:37pm.

Terri Wirkkal (EcoNorthwest) arrived at 4:38pm.

4:38pm – Executive Session under ORS 192.660(2)(e)

Entered Executive Session at 4:38pm

Ended Executive Session at 6:38pm

Motion: Masterson moved to recommend to the Board to advance the disposition of District property as discussed in Executive Session. Carlson 2nd. Motion passed unanimously (5-0).

Motion: Masterson moved to recommend to the Board that they approve the acquisition of a working farmland easement consistent with the terms discussed in Executive Session. Carlson 2nd. Motion passed unanimously (5-0).

Terri Wirkkala (EcoNorthwest) left at 5:16pm.

6:40pm - Closing items: announcements, reminders, and action items.

Action Items:

- **Fernandez** to add an Agenda item regarding LCEP to the January LLC Meeting.
- **DiLeone** to talk to LCEP to invite them to talk to the Board.
- **Fernandez** to add Agenda items regarding Outgrowing Hunger to the January LLC Meeting.
- **Staff** to bring recommendations regarding Outgrowing Hunger to the January LLC Meeting.

6:41pm - Adjournment

Guebert adjourned the meeting at 6:41pm.



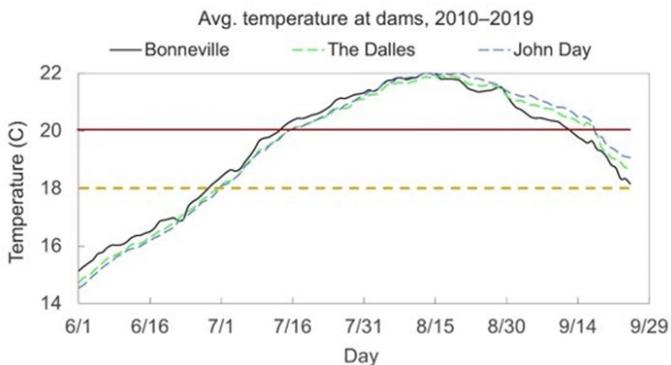
Horsetail Creek Confluence Thermal Refuge: Summary and Project Status (Jan. 2024)

Background

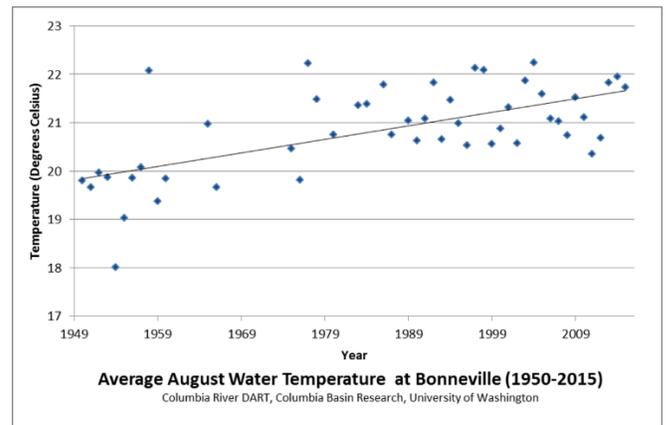
- The Columbia River is warming due to climate change. Even now, average summer water temperatures are well above state and federal water quality standards for endangered salmonids.
- These warmer conditions reflect a new normal, and present catastrophic consequences for summer-migrating populations of Chinook and sockeye salmon, and steelhead.
- In 2015, sockeye salmon returned to the Columbia River in record numbers. What should have been celebrated as a recovery success story turned into an ecological disaster as an estimated 250,000 fish, encompassing most of the run, died prior to reaching their spawning grounds. The Columbia River was too hot for them to survive the migration home.



Left: healthy Columbia R. sockeye salmon (Credit: The Columbian). Right, sockeye salmon collected at Bonneville Dam in July 2015, showing warm-water induced body lesions (Credit: Spokesman-Review)



Red line: 20°C water quality standard for salmonids
 Yellow line: 18°C recommended max. limit for juvenile salmonids



Left: present-day average Columbia River summer temperature; Right: long-term historical increase in Columbia River. Temperature for the month of August.

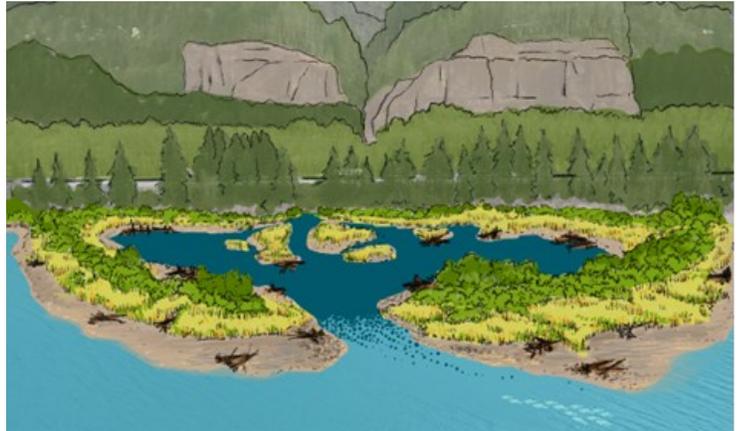


The Herman-Creek - Columbia R. confluence at Cascade Locks. This cold-water feature is heavily used by summer-migrating adult salmonids as a thermal refuge.

- Some species are using isolated cold-water features along the Columbia as ‘thermal refuge’ stepping stones, seeking respite from mainstem temperatures for up to several weeks at a time before continuing to migrate.
- These features occur at some tributary confluences and often include a natural or artificially created ‘embayment’ that concentrates cold tributary water. They are effective but limited in number and capacity to support fish.
- **The best long-term hope for these species is to increase the availability of such cold-water habitat.**

Our Project

- Replicates existing cold-water features in the mid-Columbia River (above Bonneville Dam) that are heavily utilized by summer-migrating salmonids, in the lower Columbia (fills a 57-mile gap without cold-water).
- PIC funded feasibility and design stages have proven concept and assessed risk through advanced modeling analyses and field investigations.
- Will provide critical thermal-refuge conditions, and other habitat benefits, that are imperative to the survival of regionally iconic and culturally important salmonid species faced with climate change and other challenges.



LCEP’s proposed cold-water embayment at Horsetail Creek-Columbia R. confluence, which will provide thermal refuge for endangered Columbia R. salmon and steelhead.

- **Currently on-hold due to permitting/ownership issues for which we are seeking help to resolve.**

How You Can Help

- Before continuing project development, LCEP needs to find a willing partner to satisfy ownership requirements.
- **Request to EMSWCD Board of Directors:** LCEP requests EMSWCD to pursue securing an easement with Oregon Dept. of State Lands and developing a mutually beneficial agreement with LCEP that will satisfy long-term security and maintenance concerns associated with the project.
- LCEP will commit to paying for the easement, project construction, and monitoring; and will work to secure a long-term endowment that can be reserved for required maintenance actions.
- LCEP can reduce risk to surrounding ODOT infrastructure (I-84 embankment and culvert) through several actions, including extensive engineering design and multiple third-party reviews.



January 23, 2024

House / Senate Member
900 Court St. NE
Salem, OR 97301

Dear XXX:

We write to you today to express our strong support for \$10.8 million in state funding for the Oregon Agricultural Heritage Program (OAHP).

OAHP protects farm and ranch land from development through working farmland easements which keep acres in production and enhance natural resource values. Without state funding in 2024, \$7.2 million already allocated to Oregon through the Natural Resources Conservation Service for this work risks being returned to the federal government.

Farmland in the service area of East Multnomah Soil & Water Conservation District (EMSWCD) is at a high risk of conversion. Farmland in production in Multnomah County decreased by 15% (4,548 acres) from 2012 to 2017¹. EMSWCD is tackling this challenge via an active working farmland protection program funded via a portion of our tax levy, as we related on a tour of an EMSWCD protected farm project this past fall with several Oregon legislators. However, as we also shared on that tour, we are unable to leverage our limited funds given the lack of a stable source of funding from Oregon. And our success in protecting working farmland is indicative of what could be achieved throughout Oregon if other organizations were able to rely on funding via OAHP.

With \$10.8 million in state funding for OAHP, Oregon can leverage already awarded federal dollars to invest in our vital farm and ranchlands. These investments will protect tens of thousands of agricultural acres across our diverse geography.

Please encourage your budget leaders to include funding for OAHP in 2024. Thank you very much for your consideration.

¹ 2017 United States Department of Agriculture Census of Agriculture



Oregon Agricultural Heritage Program Letter of Support
East Multnomah Soil and Water Conservation District

1/23/2024

Sincerely,

Jasmine Zimmer-Stucky
Board Chair, East Multnomah Soil & Water Conservation District

C: Senate President Rob Wagner
House Speaker Dan Rayfield

Oregon Agricultural Heritage Program (OAHP)



Background

In 2022, the Oregon legislature approved \$5 million in funding to administer the Oregon Agricultural Heritage Program (OAHP) – a program that helps farmers and ranchers protect and maintain or enhance conservation on working land.

This program has enjoyed significant bipartisan support, and its purpose is to protect farm and ranch land from development, keep it in production, and enhance its natural resource values.

In April, the Oregon Watershed Enhancement Board (OWEB) allocated grants for the first \$5 million invested in 2022, permanently protecting 12,480 acres of farm and ranch land across the state! These projects represent diverse geographies and operations, from a century-old cattle ranch in Lake County to historically underserved, first-generation farmers in Deschutes County who are using easement proceeds to pay down their mortgage.

Despite broad support, the program did not receive funding in the 2023 legislative session, jeopardizing more than \$7.2 million already committed to Oregon through the federal Natural Resources Conservation Service.

Without additional funding in 2024, these funds will be returned to the federal government and reallocated to other states.

What Was Jeopardized by Not Funding OAHP in 2023

The missed opportunity of not funding OAHP threatened these Oregon projects:

- 14 potential projects from 6 land trusts in Oregon
- Protecting 9 ranches, 4 farms and 1 orchard
- Protecting 18,977 acres
- Fulfilling \$11.6-11.8M in OAHP funding requests
- Investing \$25,992,895 in Oregon farm and ranchlands
- Variety of agricultural production: Wool, lamb, grass-fed beef, pork, wheat and grass seed, barley, organic vegetables, sheep, and hazelnuts.

Oregon is missing out on critical matching funds to protect farmlands:

- 5 projects have ALREADY SECURED \$7.2M from NRCS
- 4 projects will work to secure NRCS match funding



Benefits of the Oregon Agricultural Heritage Program (OAHP)



LEVERAGES FEDERAL DOLLARS

The commitment of \$5M in 2022 almost immediately leveraged a 1,100% increase in federal funding for Oregon through NRCS's Agricultural Land Easements program to \$6.7M. Twenty seven other states have working land easement grant programs.



KEEPS FARM AND RANCH LAND IN PRODUCTION

Easements and conservation management plans enhance both agricultural and natural resource values and do not necessarily remove water rights.



SUPPORTS RURAL BUSINESSES

Farmers are paid to remove unneeded development rights, and can continue agricultural production. Afterwards the land is priced at agricultural value, which is more affordable to increasingly diverse new producers.



REDUCES CARBON EMISSIONS

Farmland produces 58-70 times fewer greenhouse gas emissions than urban land and provides opportunities for carbon sequestration.



BENEFITS RURAL COMMUNITIES

with dollars that recirculate in rural economies.



BENEFITS OREGON'S ECONOMY

by supporting the state's 2nd largest economic sector (agriculture) and the rural communities, open spaces, and fish and wildlife habitat that depend upon it.

How it Works

Farmers and ranchers are at the heart of Oregon's economy, but Oregon farmland and food security are threatened by fragmentation and conversion to non-agricultural uses.

Data from the U.S. Department of Agriculture shows that Oregon lost 340,000 acres from agricultural production between 2012-2017, and could lose up to 109,000 acres between 2016 and 2040.¹

Through OAHP, nonprofit land trusts across the state work with private landowners to protect farm and ranch land from development and keep it in agriculture using working land conservation easements. These are voluntary real estate contracts between a landowner and a land trust to remove mutually agreed-upon development rights from the property, but allow continued

agricultural production. Landowners retain ownership and management of their land and can be compensated for the rights they give up.

OAHP's 4 interrelated grant programs provide critical funding for:

- **WORKING LAND EASEMENTS**, unlocking millions in federal match per year
- **CONSERVATION MANAGEMENT PLANS** and associated activities for 20-50 years
- **EDUCATION** on how to transfer a farm or ranch to the next generation, including to first generation and non-related farmers, who face challenges accessing and affording land
- **TECHNICAL ASSISTANCE** to help grantees with outreach and capacity

¹Based on AFT's *Farmlands Under Threat 2022 report*

Questions?

Contact Karsyn Kendrick, COLT's Conservation Program Manager at karsyn@oregonlandtrusts.org



OAHP Talking Points

The Challenges – Overall

- Farmers and ranchers are at the heart of Oregon's economy – with over 37,000 active farms and ranches throughout the state, our working lands support \$50 billion in annual economic impact.
- Our farm and ranch lands face pressures from low-density development, fragmentation, and rural landowner succession challenges.
- 64% of our working lands (10.45 million acres) will change hands over the next 20 years, and more than 80% of Oregon farmers and ranchers do not currently have succession plans in place.
- Data from the U.S. Department of Agriculture shows that Oregon lost 340,00 acres from agricultural production from 2012-2017, some of which was urbanized.
- In American Farmland Trust's business as usual projection, Oregon could lose up to 109,000 acres of agricultural land between 2016-2040.

Background

- The OAHP funds 4 grant programs: working land conservation easements and covenants, conservation management plans and activities, education on farm transfer to the next generation, and technical assistance.
- The Oregon Watershed Enhancement Board (OWEB) requested \$10 million in grants (POP 215) and \$800,000 for program administration (POP 115) in their 2023-2025 agency recommended budget for the OAHP.
- However, the Governor's Requested Budget included no additional funding for the program for the 2023-2025 biennium.
- **In the 2023 legislative session, lawmakers failed to pass additional funding for the program, jeopardizing millions in federal funds from the Natural Resources Conservation Service (NRCS).**

Leveraging Federal Funding

- There was an additional \$20 billion include in the Inflation Reduction Act for Natural Resource Conservation Service (NRCS) programs, including the federal Agricultural Conservation Easement Program (ACEP).
- To ensure those additional dollars come down to Oregon, its essential that we fund the OAHP as a source of sustainable state matching dollars for the federal ACE program.
- In the 2022 short session, the legislature committed \$5 million in funding for the OAHP, the first appropriation of funding since the program was created.
- This commitment of state funds almost immediately leveraged a 1,100% increase in federal funding for Oregon, an increase to \$6.7 million in 2022.
- OAHP helps leverage federal funds that we have left on the table for decades – from 1996-2019, Oregon received only \$7.2 million in federal dollars, while tiny Rhode Island received \$43 million because they put \$36.6 million in state funds on the table.
- Oregon is also lagging behind other states in protecting farm and ranch lands – 27 other states have matching agricultural conservation grant programs, allowing them to leverage additional federal funds and increase their working lands protection.
- To maximize Oregon's ability to leverage current and future funds, we need to continue to provide a sustainable source of state match funding.

2024 OAHP Project Pipeline



OAHP Talking Points

East Multnomah Soil and Water Conservation District

1/16/2024

- The Coalition of Oregon Land Trusts (COLT) conducted a study of land trust members and found that there are 14 projects across the state that are ready & primed for a next OAHP grant cycle.
- These projects collectively would protect 9 ranches, 4 farms and 1 orchard – protecting a total of 18,977 acres.
- **5 projects have already secured \$7.2 million in funding from the NRCS – this funding will be returned to the feds or allocated to another state without additional funding for OAHP and state match.**
- 4 additional projects plan to apply for federal match through NRCS.

2024 Funding Request

- We are working with the House Ag, Natural Resources and Water Committee to run a bill that would provide additional funding for OAHP in the 2024 short session.
- This bill would provide \$10.8 million for grants & administration for the OAHP until the end of 2025. OWEB plans to run two grant cycles & is confident they can expend all funds before the end of the biennium.
- It mirrors the request originally made by the Oregon Watershed Enhancement Board in their requested budget.
- Fully funding the OAHP would:
 - Leverage federal dollars for agricultural and ranchland protection and conservation,
 - Keep farms and ranch lands in productions,
 - Support rural businesses by allowing farmers to get cash from their real estate while keeping it in agriculture. This is vital for creating financial buffers in tough times and making farmland more affordable for the next generation.
 - Reduces carbon emissions. Protecting farmlands while growing cities in a compact manner reduces 33 tons of GHG emissions per acre per year when compared to sprawl development,
 - Benefits rural communities with dollars that recirculate in rural economies, and
 - Benefits the state by supporting our 2nd largest economic sector and the rural economies, open spaces, and fish and wildlife habitat that depend upon it.