



Oregon Agricultural Heritage Commission

Meeting Agenda

November 7, 2024

Business Meeting	November 7, 2024	9:15 am – 4:00 pm
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Virtual Meeting

The public is welcome to watch or listen to the meeting through the following methods:

- **YouTube Streaming/Recording:** www.youtube.com/channel/UC0dl-TOWlt4Sp--i1KEa_OA. There may be a slight delay when streaming the meeting content.
- **Zoom:** <https://us02web.zoom.us/j/83713463709?pwd=OQvBANbVeVhzrbiBr53kX7ZlBzxyHC.1>

Public comment

The OAHC welcomes written and verbal public comments on any agenda item. Written comments submitted by the deadline will be provided to the commission before the meeting.

Written comments and requests to make verbal comments should be submitted using the online [Public Comment Form](#). The deadline for submitting written comments and requests to make verbal comments is **5:00 pm Tuesday, November 5, 2024**.

Verbal comments are limited to three minutes and will be heard in the public comment period. For additional information on providing public comment, please refer to our website <https://www.oregon.gov/oweb/about-us/Pages/board/meetings.aspx>. If physical, auditory, language, or other accommodations are needed for this meeting, please contact [Nicole Bettinardi](#) as soon as possible, and at least 48 hours before the meeting.

Agenda

A. Welcome & Introductions (9:15am)

B. General Public Comment (9:25 am)

This time is reserved for the commission to hear general public comments and review the written public comments submitted before the meeting. *Information item.*

C. [Review and Approve Minutes \(9:35 am\)](#)

Minutes from the October 21, 2024, OAHC meeting will be presented for Commission approval. *Action Item.*

D. [Spending Plan Update \(9:40 am\)](#)

The commission will have an opportunity to add recaptured funds and amend the current OAHF spending plan. *Action item.*

Break (10:00 am)

E. [Conservation Easement Application Review and Funding Recommendation \(10:15 am\)](#)

Staff will provide an overview of the 2024 OAHF working lands conservation covenant and easement grant offering solicitation process. *Information item.*

Public Comment for Agenda Item E. (10:45)

This time is reserved for the commission to hear public comments and review written public comments submitted before the meeting pertaining to Agenda Item E. *Information item.*

Conservation Easement Application Review and Funding Recommendation Continued (11:15 pm)

Staff will provide an overview the technical review team rankings, and evaluation summaries and answer clarifying questions from the Commission. *Information item.*

Lunch (12:00 pm)

Conservation Easement Application Review and Funding Recommendation Continued (1:00)

The commission will make a funding recommendation to the OWEB board for consideration at its January 2025 meeting. *Action item.*

F. Other Business (3:00)

This time is reserved for other business that may come up before the Commission. *Information item.*

Contact Information

OAH Program Coordinator – Taylor Larson
Taylor.Larson@OWEB.oregon.gov

OAH Conservation Easement Specialist – Robin Meacher
Robin.M.Meacher@OWEB.oregon.gov



Oregon Agricultural Heritage Commission

Meeting Minutes

October 21, 2024

Business Meeting	October 21, 2024	10:45 am – 12:00 pm
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MINUTES ARE NOT FINAL UNTIL APPROVED BY COMMISSION

This meeting was held virtually.

Recording at: <https://www.youtube.com/watch?v=dHWsPleE46c>

OAHC Members Present

Bigelow, Dan
Contreras, Ed
Duhnkrack, Nancy
Krahmer, Doug
Loop, Lois
Lowe, Amanda
Masterson, Laura
Taylor, Bruce

OWEB Staff Present

Davis, Renee
DeBardelaben, Theresa
Ingamells, Ellen
Larson, Taylor
Meacher, Robin

The meeting was called to order at 10:45 am by Chair, Doug Krahmer

A. Welcome & Introductions

Chair Doug Krahmer welcomed the commission and public. Commissioners introduced themselves.

B. Public Comment

This time is reserved for the commission to hear general public comments and review the written public comments submitted before the meeting. *Information item.*

No written or verbal public comment was provided.

C. Review and Approve Minutes

The minutes from the September 11, 2024 OAHC meeting were presented for Commission approval. *Action Item.*

Bruce Taylor corrected Doug Krahmer's title from "Vice chair" to "Chair" in the September minutes.

Bruce Taylor moved to approve the minutes. Lois Loop seconded. The minutes were approved unanimously.

D. Preparation for November Meeting

Staff reviewed the role of the Commission in evaluating projects and making funding recommendations to the OWEB board ahead of the November 7, 2024 meeting at which the Commission will consider 10 conservation easement applications. *Information item.*

E. Program Implementation Concerns and Opportunities for Refinement

Staff highlighted a handful of programmatic topics that have been raised in public comment, with a focus on requirements regarding management plans in OAHP funded conservation easements. The Commission was asked to weigh in on this programmatic topic to inform program refinements. Staff will utilize this input to further refine the requirements and expectations for management plans in open, pending, and future grants. *Information item.*

F. Other Business

This time was reserved for other business that may come up before the Commission. *Information item.*

Bruce Taylor moved to adjourn the meeting. Lois Loop seconded. The meeting adjourned at 12:15 pm.



STAFF REPORT

Oregon Agricultural Heritage Program

November 7, 2024 OAHP Commission Meeting



Tina Kotek, Governor

ITEM D – Spending Plan Update

To: Oregon Agricultural Heritage Commission

From: Taylor Larson, Oregon Agricultural Heritage Program Coordinator

Robin Meacher, Oregon Agricultural Heritage Program Conservation Easement Specialist

Introduction

The Oregon Agricultural Heritage Commission has a total of \$277,776 in funding to add to this biennium's Oregon Agricultural Heritage Program (OAHP) spending plan. These additional funds result from the recapture from a cancelled grant (223-7101-22522). Staff are requesting the Commission allocate this recaptured funding and rebalance the spending plan to address current and anticipated program demands. Staff are also requesting the Commission consider rebalancing their spending plan in order to meet demand for the Conservation Management Plan (CMP) grant program.

Background

At the October 2024 OWEB Board meeting, the Board approved adding \$277,776 resulting from the recapture of cancelled grant 223-7101-022522 to the OAHP spending plan line item in the OWEB 2023-2025 spending plan. Now that the board has amended the OAHP line item of the spending plan, the Commission can amend its spending plan to allocate the funds to a specific grant program. Staff recommend that the Commission add these additional funds to the Conservation Covenant and Easement Grant line item of the 2023-2025 OAHP spending plan. This recommendation is based on ongoing discussion by the Commission about demand for the easement program.

At the April 2024 OAHC meeting, the Commission allocated \$250,000 to Technical Assistance (TA) grants and \$500,000 to Conservation Management Plan (CMP) grants for an early 2025 solicitation using funds allocated to the program through the Natural and Working Lands Fund. Since that time staff engaged with potential grantees and found a high level of interest in the CMP grant program. Given the anticipated demand for the CMP grants and the lack of certainty around future funding, staff are recommending the commission reallocate \$250,000 from the TA grant program into the CMP grant program.

Recommendation

Staff recommend the Commission add \$277,776 to the Conservation Covenant and Easement Grant line item of the 2023-2025 OAHP spending plan, increasing the amount available for the current easement grant cycle from \$4,803,260 to \$5,081,036. Staff also recommend the Commission adjust the spending plan by moving \$250,000 from Technical Assistance to Conservation Management Plan grants increasing the amount available for the current CMP grant cycle from \$500,000 to \$750,000.



STAFF REPORT

Oregon Agricultural Heritage Program

November 7, 2024 OAHP Commission Meeting



Tina Kotek, Governor

ITEM E – June 2024 OAHP Conservation Covenant and Easement Grant Offering

To: Oregon Agricultural Heritage Commission
From: Taylor Larson, OAHP Program Coordinator
Robin Meacher, OAHP Conservation Easement Specialist
Renee Davis, OWEB Acquisitions and Special Programs Manager

Introduction

This staff report provides an overview of the June 2024 Oregon Agricultural Heritage Program (OAHP) Conservation Covenant and Easement grant solicitation and outlines staff recommendations for commission consideration.

OAHP Conservation Covenants and Easements – June 2024 Offering Background and Summary

The 2024 legislative session resulted in a \$5.161 million general fund appropriation to the Oregon Agricultural Heritage Fund (\$4,541,680 for grants and \$619,320 for operations) through Senate Bill (SB) 5701. In its April 2024 meeting, the Oregon Agricultural Heritage Commission (OAHC) allocated \$4,541,680 to the OAHP Working Lands Conservation Covenant and Easement grant offering in its 2023-2025 OAHP spending plan. At its September 2024 meeting, the OAHC added \$261,580 to the Conservation Covenant and Easement Grant line item of the 2023-2025 OAHP spending plan, increasing the amount available for the current easement grant cycle from \$4,541,680 to \$4,803,260. With the recommended addition of \$277,776, pending OWEB board action on October 22, from the recapture of funds due to the cancellation of Grant No. 223-7101-22522, the total funds available for the 2024 Conservation Covenant and Easement Grant offering is \$5,081,036.

The conservation covenant and easement grant solicitation opened in May 2024 and closed on June 28, 2024. Ten applications were received, requesting a total of \$8,878,709. All applications requested funds for the purchase of perpetual conservation easements. There were no applications for termed covenants.

Application Review Process

The working land conservation easement applications were reviewed in accordance with administrative rules for the program, adopted in 2019. Per OAHP's statute and rules, staff's role in the application review is to facilitate a process where applications are evaluated and ranked by a technical review team (TRT) with expertise relevant to the evaluation criteria for the grant offering. The review team does not make "fund/do not fund" recommendation on submitted applications based on merits of the proposed projects relative to the evaluative criteria. Rather, the review team's ranking signals their expert opinion on alignment of proposed projects with program intent. Staff present the OAHC with the application ranking from the review team and the evaluations, along with a funding recommendation. The OAHC,

per statute, reviews and considers these rankings and recommendations in the development of the commission's recommendation to the OWEB Board. Given this decisional space for OAHC, the recommendation from staff simply articulates for the commission where the line of available funding falls in the TRT's ranking.

Site visits to each project site were conducted by OWEB staff through July/August/September. The purpose for the site visits was for staff to verify information presented in the application, and gain context and clarification on application elements to bring to the review team meeting. Staff also gave technical reviewers the opportunity to present staff any clarifying questions prior to the site visits. None were provided.

Applications were reviewed by OWEB's due diligence contractors and the OAHP Conservation Covenant and Easement Grant Offering Technical Review Team. Project soundness review was provided to OWEB staff in written form on the project elements related more specifically to the transaction's soundness, as well as the applicant's capacity to purchase and steward the easement. This feedback was summarized and presented by OWEB staff during the TRT meeting. The technical reviewers did not provide written feedback; rather they convened in a review team meeting to discuss and rank the 10 applications. This process refinement between the first and second grant cycles was implemented to better align with statute and program rules and address feedback received and discussion that occurred during the 2022-2023 grant cycle. The review team discussion of each project was summarized by staff and is presented in the evaluations in Attachment A. The review team ranking is in Attachment B.

The review team generally found that all projects were "qualified" in terms of meeting basic OAHP CE program requirements and thresholds. They noted, however, that more detailed information in some applications about the significance of the specific parcels and the specific benefits—such as agricultural, natural resource, and fish and wildlife—that the projects aim to protect, as well as how they plan to achieve those benefits would have been helpful during the evaluation. The team stated during its discussion of the multiple projects that a more thorough description of the management currently taking place and intended to continue (or change) as a result of the project would have better enabled them to evaluate whether the highlighted resources are appropriately being addressed by the proposed conservation easement or an accompanying management plan.

Those applications that ranked the highest were considered to have provided the most well-articulated and well-documented rationale for why the property and its values were significant, how they would be protected, and the threat facing the property. Higher ranking applications also were considered to address all the evaluation criteria for the OAHP conservation covenant and easement program to the best and broadest extent among the applications. The applications in the bottom tier of the ranking, though acknowledged as meeting basic requirements for the program, were forwarded to the Commission with some qualifiers. The TRT noted that these applications lacked sufficient justifications to persuade them that the property and the resources were significant to the point of warranting limited public funds be allocated to these projects ahead of higher ranked applications for which alignment with program intent was exceptional.

Per administrative rule 698-015-0120, staff provided the governing bodies of cities and counties with jurisdiction in the area of the proposed covenant or easement acquisition, as well as affected governmental agencies and tribes, with written notice of the Commission's intent to consider written and oral comments provided at the meeting where the applications are considered. All testimony, including any oral testimony received by the Commission will be summarized in the staff report to the OWEB Board at the January 22-24, 2025, meeting.

Recommendation

Staff recommend the Commission consider the ten OAHP Working Lands Conservation Covenant and Easement grant applications as described in the technical review committee's rankings paired with available total funding and the staff evaluations in Attachments A and B.

Attachment A

OAHP Working Land Conservation Covenant and Easement 2024 Application Evaluation Summaries

Attachment B

OAHP Working Land Conservation Covenant and Easement 2024 Application Ranking

Attachment C

Map of 2024 OAHP Working Land Conservation Covenant and Easement Applications

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7104-23844	Project Type:	Conservation Easement
Project Name:	Albertson Family Limited Partnership		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$337,603	Total Cost:	\$ 1,177,361

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The project is in the Yocum Valley in Southwest Lake County and is an inholding in the Fremont-Winema National Forest. The property is held in a family partnership with a large number of members, where those ownerships could be even more split as family members pass and the next generation inherits. This broadening of the family ownership has already forced one actual subdivision of the property, resulting in the loss of a third of the former land area. The family would like to ensure the property is retained in its whole going forward. The goal is the acquisition of a conservation easement, where NRCS ACEP-ALE Grasslands of Special Significance funding has already been awarded and we are seeking matching funds from the heritage program. As such, the project will be led by Oregon Agricultural Trust, with NRCS acting as a funding partner for the acquisition.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the large size of the proposed tract and its ability to provide critical summer grazing ground is significant by keeping livestock off lower elevations and allowing that vegetation to mature. Fragmentation of the property could pose a risk to the functionality of the property's wet meadows by complicating coordinated management of the water control structures, irrigation, and overall hydrology. If water management is not continued, it could jeopardize the forage production and the natural resource benefits provided by the meadow's plant communities. Reviewers noted that more detail related to how the project would accommodate the specific wetland plant communities and wildlife utilizing the property would have provided more foundation to determine the project's natural resource benefits. Reviewers were concerned that application lacked detail about how a grazing management plan may be prepared and utilized for the property, as wet meadows can be sensitive to the impacts of grazing, as can forage production. The application made a compelling case for the value of wet meadow for habitat and summer range, but lacked a discussion of the interaction of the two uses and any potential conflicts.

Reviewers agreed that the proposed property's location is compelling for conservation, given its proximity to Forest Service land. It was acknowledged that landscape management of property adjacent to public lands is easier with fewer landowners and that managing for fire and other conservation goals would be enhanced by keeping the property intact. The distance from population centers and transmission infrastructure may decrease the immediacy of any threat of residential or solar development. Reviewers stated that the application adequately explained how an easement on the property would facilitate management of the property for agriculture and conservation in the long run. They were concerned, however, that the nearby reservoir that is the source of the irrigation water and appears to be a significant resource, was not included in the proposed easement (while acknowledging the application's statement that the reservoir is owned in a different structure than the subject property). Reviewers were concerned that areas around the reservoir could be developed and damage the agricultural and conservation values on the property, including facilitating additional recreation development that could conflict with the agricultural uses of the subject property. Reviewers appreciated the application's thorough depiction and acknowledgement that the threat of fragmentation is primarily associated with succession issues and that the proposed project could help facilitate an agreeable resolution for all involved parties, while keeping the property available for agriculture and conservation.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. OAT includes the protection of working lands in its organizational documents. The application states that the organization has completed three working land easements in the past year protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

The ownership structure for the property in the proposal is a nine-member limited partnership. More detail would have been beneficial to understand the formal decision-making authority required by the partnership agreement, the level of commitment of the full membership, and the level of agreement needed to move forward on certain project components (e.g., easement terms, acceptable purchase price, timelines, etc.). The water management structures (dam on Albertson Reservoir) related to irrigation rights pertinent to the property is not included in the easement, but it is identified as owned and maintained by the landowners through a different ownership entity. Confirmation of this relationship and rights to maintain water uses and infrastructure necessary to do so will be requested.

The property appears to be free of complicated or outstanding severed mineral interests, though the applicant noted a search of the Mineral Information Layer for Oregon (a database maintained by the Oregon Department of Geology and Mineral Industries) which provided some limited information regarding the use of historic surface excavation of the property for cinders. There applicant will need to confirm that there are no outstanding rights associated with this use.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7104-23844	Project Type:	Conservation Easement
Project Name:	Albertson Ranch		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$198,573	Total Cost:	\$1,068,084

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Albertson Ranch sits in the Goose Lake/Thomas Creek Valley outside of Lakeview, in Lake County. As a ranch property, the Albertsons have put significant efforts into creating a multi-purpose use ranch which mutually benefits livestock grazing and wildlife in a manner which is productive to both purposes. They are at the point of retirement, however, and the property contains numerous lots of record which would allow for subdivisions in excess of what would benefit the resources and even EFU lot minimums. Therefore they are pursuing a conservation easement to help preserve the land in perpetuity.

The easement as proposed is a straightforward working lands conservation easement, co-funded by a North American Wetlands Conservation Act (NAWCA) Grant acquired in partnership with Ducks Unlimited. As the grant recipient Ducks Unlimited will be overseeing the administration of those funds while Oregon Agricultural Trust will manage the acquisition itself and the acquisition of the match funding.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the property has strong agricultural and natural resource values. The importance of the property for migratory birds and lamprey habitat was appreciated and the current landowner's large investments in enhancing its ecological importance was valuable. The habitat investments made by the landowners represent decades of investment, and maintaining the habitat structure could be challenging, if not improbable, if the property were broken into different ownerships. The easement would safeguard these investments and help maintain the management of the habitat structures. The property's inclusion of the lower reach of Drew's Creek is significant, as this stretch provides important habitat for Goose Lake Lamprey and other aquatics. The property's location within the Southern Oregon Northeast California (SONEC) flyway is important, and the reviewers concurred that the property offers prime habitat to support migrating birds. However, reviewers found the detail in the application about how the project would benefit specific species was lacking, but rather provided a generic list of strategy species in the area.

The reviewers concurred that there was some level of threat of conversion and fragmentation facing the property, primarily from solar development. Residential development seemed less likely as an immediate threat, due to the wetlands present on property. However the trend of approval for and development of non-farm dwellings in Lake County is real and demonstrable.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Review of the title documents, the ownership vesting information, and due diligence items did not result in any concerns. It was noted that documents on title show that Lake County has outstanding rights related to roadways and minerals, and while the applicant's narrative related to this issue noted these rights are rarely exercised, it will be prudent clarify the applicability of these rights to the subject property, and if necessary to subordinate or extinguish.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7107-23849	Project Type:	Conservation Easement
Project Name:	Box T Ranch		
Applicant:	Blue Mountain Land Trust		
Region:	Mid Columbia	County:	Grant
OWEB Request:	\$1,092,008	Total Cost:	\$2,092,008

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

Box T Ranch is a 3,697-acre property located in Mt. Vernon, Oregon. Blue Mountain Land Trust (BMLT) is proposing to purchase a working lands conservation easement from the Ediger family, permanently protecting its grazing uses and natural resource values. The landowners have stewarded their property to balance agricultural, wildlife habitat, and conservation values in the 107 years of family ownership. The Box T Ranch utilizes a rotational grazing plan to support healthy grasslands and has participated in numerous programs to improve the property's infrastructure and habitats. The Box T Ranch supports significant fish and wildlife habitat, including 0.7 miles of the John Day River, important habitat for anadromous fish, including summer steelhead, mid-Columbia Spring Chinook, and John Day River bull trout, and 4 miles of McClellan Creek, a historic salmon-bearing creek.

The landowners plan to pass the ranch to the next generation of their family, utilizing a conservation easement to preserve the ranch as a whole and keep the property viable for continued ranching and contributions to the local agricultural land base.

BMLT is securing matching funds for a Natural Resources Conservation Service (NRCS) Agricultural Lands Easement (ALE) conservation easement through the Regional Conservation Partnership Program (RCPP). Partners on this project are the Edigers, Blue Mountain Land Trust, NRCS and OWEB.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review provided by OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

The review team appreciated that the property is of a size appropriate to sustain itself for agricultural production as a grazing property long-term, support a diversity of habitats, and that the elevation gradient on the site supports topo-climatic diversity, which correlates with climate resilience by providing suitable habitats for species and rangeland as the climate changes, facilitating climate adaptation for a variety of species and forage production. The configuration and shape of the property also allows for utilization by an operation with other land in the area, helping make the property viable on its own, but also appealing for addition into

another operation. Water rights on the northern part of the property, near the John Day River, are very valuable for irrigated pasture that facilitates use of the property for winter grazing on the same property as summer grazing. Reviewers noted that the fact that the farm is a designated Century Farm that has been under management by the same family for multiple generations helps demonstrate that the land is able to support a viable agricultural operation. In addition, the size and location of the building envelopes appeared reasonable.

Reviewers appreciated that the landowners have invested in juniper and invasive annual grass removal, as this will support agricultural production through facilitating the availability of grazing ground. More specific detail about how the landowners will continue to address weeds and invasive grasses going forward would have been beneficial to the application. The reviewers noted the significance of the steelhead stream on the property, including a confluence area with the John Day River. Reviewers appreciated the inclusion of a focus on grazing practices compatible with salmonid habitat and protection of riparian areas, while remarking that detail on specific management practices that are either occurring or would result as part of the project was somewhat lacking. Reviewers were concerned that there was no mention of a forest management plan, or specific forest management practices to achieve the stated forest resilience and health goals that could be included in the easement. More detail in this regard would have helped the reviewers fully understand how the project would achieve the forest health benefits described.

Reviewers noted the property was at fairly low risk of fragmentation from external pressures and that the threat appeared more internal related to potential succession considerations. The risk to the agricultural use of the property from any future division was not overly concerning to the review team. Smaller acreages that still meet the minimum acreage requirements for agricultural zoning in the county did not present as a major threat to ongoing compatible agricultural use of the property because dwellings are unlikely to be approved in the immediate term. Grant County does not have an established track record of approval of non-farm dwellings on agricultural-zoned lands. The threat to the property for energy (solar) facility siting was noted, but considered minimal as Grant County has not been a target for such development because of the significant distance to electrical transmission infrastructure.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Blue Mountain Land Trust is an experienced land trust with a solid track-record of implementing land conservation transactions in the Blue Mountain ecoregion in Eastern Oregon and Southeastern Washington. BMLT is accredited by the Land Trust Alliance. According to the application, over the past 25 years, BMLT has completed 20 conservation easements and one fee title purchase, totaling 23,300 acres of protected land. BMLT appears to have the capacity and ability to handle the complexity of this transaction.

A number of clarifications and additional detail and analysis related to title matters are suggested. There is a discrepancy between the vesting deed provided and the ownership information identified in the title documents that needs to be clarified and resolved. Clarification of the legal description of the property that will be encumbered by the conservation easement is needed, and a boundary survey should be required. The number and nature of severed mineral interests was of concern, primarily for the project's ability to stay within timelines required by funders. For mineral interests held by private parties, of which there are several identified, the applicant will need to make a reasonable effort to extinguish or acquire the rights. BMLT did not provide a pathway to resolving the privately held interests other than the contracting with a geologist to assess the mineral resource potential and determine if the likelihood of mineral extraction is so remote as to

be negligible. A remoteness assessment will satisfy the evaluation needed for the identified federally held mineral interests and may be a satisfactory resolution for the private rights once all reasonable attempts to acquire or extinguish have been made. Further analysis and confirmation that all the access agreements and deeds regarding access points from US Highway 26 are legal is needed.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7101-2383	Project Type:	Conservation Easement
Project Name:	Carman Ranch		
Applicant:	Wallowa Land Trust		
Region:	Eastern Oregon	County:	Wallowa
OWEB Request:	\$793,410	Total Cost:	\$1,572,009

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Carman Ranch Project in Wallowa Co. aims to protect a vital agricultural landscape from the growing threat of development. The project addresses the urgent need to safeguard the area's agricultural heritage and natural resources, placing a conservation easement on 1,946 acres of the Carman Ranch.

The easement will preserve priority rangeland, critical for maintaining the long-term viability of the local livestock industry, beyond the current operation. The ranch's grasslands provide essential habitat for diverse wildlife species, and the easement ensures these habitats remain intact. By limiting non-agricultural uses and development, the easement supports the continued use of the land for livestock production and promotes regenerative practices that benefit both the environment and the ranch's long-term productivity.

The inclusion of a building zone within the easement boundary supports the ongoing potential of the land to sustain an agricultural operation beyond the current landowner's needs, allowing for the necessary infrastructure to maintain a viable agricultural enterprise in perpetuity.

This project highlights the symbiotic relationship between agriculture and conservation. Carman Ranch's commitment to regenerative land management, including rotational grazing and soil health enhancement, shows how agricultural practices can support the conservation of natural resources. Protecting the land's agricultural value will in turn help preserve the ecological integrity of the region.

This project embodies the importance of collaboration between landowners and conservation organizations in protecting working lands and preserving the unique character of rural communities. The Carman Ranch Project contributes to the broader effort to maintain the agricultural vitality and ecological health of the region, serving as a model for how conservation and agriculture can work together to create a sustainable future for both the land and the people who depend upon it.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers appreciated that the application was well developed and provided a compelling case that the size of the ranch is adequate to sustain a viable ranching business. In addition, a comprehensive and informative description of the management plans and management practices already in place to support resilient systems is provided, along with a helpful discussion of management considerations with varying future climate scenarios. Reviewers concurred with the application's assertion that the property is significant and valuable for ranching and wildlife habitat and connectivity and noted that the application's description of these benefits was thorough and well documented. Reviewers also concurred with the application's description of Carman Ranch's leadership in the state when it comes to adding value to ranching products.

Reviewers noted that the property supports valuable deer and elk habitat and fits within the Zumwalt Prairie conservation area. The application would have benefitted from additional detail on the property's proximity and connection to the Zumwalt Prairie preserve. Reviewers noted that the ongoing access provided to Tribes for first foods collection and the public through ODFW's Access and Habitat program helped demonstrate the importance and significance of the property in the region.

Reviewers noted and concurred with the application's description of the high demand for property in the immediate area and region, and the conversion from agricultural uses to luxury recreational use is a bona-fide and documented threat, given the number of people coming to the area for recreation.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Wallowa Land Trust is an established, Land Trust Alliance accredited organization, with a history of acquiring and managing conservation easements on working lands. Project personnel have the necessary experience and expertise to manage and conclude a project of this nature. Other members of the project team, including consultants and legal counsel, are identified as already engaged in the project, which bodes well for quick identification and resolution of project soundness components. Wallowa Land Trust has completed 11 projects, two of which were NRCS ACEP-ALE funded (which is also match funding on this proposal).

Ownership of the property to be encumbered by the proposed conservation easement is vested in a single member LLC, which greatly facilitates decision-making. However, the articles or operating agreement for the LLC were not apparent, and confirmation of authority to enter into real estate negotiations and sell LLC property interest is needed.

Additional and detailed title review is warranted to confirm the legal description of the parcels included in the easement are accepted by the title company, as the application noted a series of property line adjustments that complicate the property's legal descriptions. The applicant has contracted with a specific surveyor to conduct a survey and finalize the legal status of the property line adjustments. Further review of the title exceptions was identified as "ongoing" in the application materials and OWEB's concurrence with, and acceptance of any proposed resolutions is recommended as a funding condition.

No reference to severed mineral interests was included in the application and severed interests were not apparent in the title documentation, but a confirmation from the applicant of a specific mineral rights search is suggested.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7104-23844	Project Type:	Conservation Easement
Project Name:	Country Heritage Farm		
Applicant:	Oregon Agricultural Trust		
Region:	Willamette Valley	County:	Yamhill
OWEB Request:	\$1,260,478	Total Cost:	\$2,475,927

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

1) Located in Dayton, Yamhill County, the 304-acre Country Heritage Farms “Home Farm” property proposed is a third generation, Food Alliance-certified farm operated by the Sweeney family. 2) Farmed by the family since 1942, the Home Farm is a well-established, diversified Willamette Valley Farm with 242 acres of row crops and hazelnuts and over sixty acres of riparian forest habitat. This farm has 80 years of investment in equipment, irrigation, erosion control, and three generations of family farm knowledge of successful regional crops, markets, and farming techniques. With residential neighborhoods across the street, the property abuts the urban growth boundary (UGB) of the city of Dayton and Sam Sweeney, the sole trustee of the farm property would like to see this entire farm stay together, in agricultural production, as a single property without new residential or industrial development. 3) The proposed work is to finalize the draft conservation easement, complete a management plan and baseline documentation report, contract appraisal(s), survey, and other necessary due diligence required to purchase a working lands conservation easement on this farm with funding from the USDA NRCS Agricultural Land Easement program together with OAHF funding. If funded, this acquisition would take place during 2025/26. The ALE application to OR NRCS has already been completed for this farm and reviewed by OR NRCS staff. It is a strong candidate for ALE funding in the coming fall 2024 Oregon ranking due to a combination of high development pressure, 88% prime farm soils (low slope with water rights) and a proven track record of farm resiliency through diversified crop/market strategies and decades of investment in equipment, drainage and irrigation. 4. Oregon Agricultural Trust is the project manager and will be the long-term conservation easement holder. A private foundation and the farm will each make contributions to funding the permanent easement stewardship cost.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the property is a highly valuable farm property in the region, with prime agricultural soils and associated water rights that can be used to support a variety of crops. However, the application was lacking detail describing the significance of this parcel of land, which was expanded upon by the expertise and experience of the review team. The level of threat facing the property from urban expansion and energy siting were well articulated in the application, noting the proximity to the Urban Growth Boundary of a growing city

and nearby power transmission infrastructure. Reviewers agreed that this project is the embodiment of what the program is seeking to address – high value farmland under significant threat of conversion, with the accompanying benefits to wildlife habitat and protection of soil resources.

Reviewers agreed that the agricultural values were well articulated, though the application lacked detail on specific conservation benefits for fish and wildlife habitat and would have benefited from expansion on the natural resource components of the project. The cursory discussion of the habitat related to the perennial creek on the property in the application was especially noted during the discussion.

Reviewers were impressed with soil conservation efforts through erosion control strategies currently in place across the property. The application's description of the property's contribution to water quality benefits was well articulated. Reviewers also noted that the demonstrated ability of the land to produce a variety of crops in the past boded well for the future viability of the land to support an agricultural business.

The project will combine five parcels that could potentially be sold independently, addressing potential concerns related to property succession and facilitating the transfer of land to the next generation. Reviewers concurred with the application's assertion of the of substantial pressure of conversion in the area, specifically from solar development given the property's proximity to transmission infrastructure. The interest in water rights acquisition for municipal use was also noted as a substantial threat to the long-term agricultural viability of the property, which would threaten the property's contribution to the region's agricultural land base. Reviewers noted that a conservation easement on the property would protect the highly productive farmland in a strategic way where land use planning allows for urban development and pressure for urban infrastructure as the city of Dayton expands.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The application states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Ownership of the property appears to be simple, in a trust with one trustee. However, this should be confirmed for confidence in decision-making authority for the project. The property's title is relatively normal for a farm of this nature, with no significant concerns noted. An updated report, specific to the easement property, will be required and OAT has indicated that it will research and resolve any title anomalies.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7103-23838	Project Type:	Conservation Easement
Project Name:	Ginocchio Ranch		
Applicant:	Oregon Agricultural Trust		
Region:	Central Oregon	County:	Lake
OWEB Request:	\$425,113	Total Cost:	\$802,771

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The project is an 871 acre ranch located in Lake County, Oregon, with legal access from Highway 140. The property is located within the Goose Lake Basin, the highest altitude agricultural valley in the state, where dryland range and flood irrigated pasture are the dominant forms of agricultural production.

The property is part of a large area of ranching properties that are threatened by subdivision, and also represents the highest-value habitat for migratory wildlife throughout the state. The property is mixed native rangeland and irrigated pasture, with 72% soils of statewide importance and prime soils, and secure irrigation rights for 302.5 acres, in addition to 10 acres of flood-irrigated pasture. Private ranchlands in the region, like the Ginocchio Ranch, are essential to supporting migratory wildlife. The eastern portion of the property is ranked as “most crucial” for aquatic habitat, is entirely within the winter mule deer range, and a large extent of the property is included within ODFW Priority Wildlife Connectivity Areas. However, subdivision pressure in the region is threatening both the agricultural economy and the wildlife habitat it supports, as evidenced by subdivision of adjacent parcels.

The conservation easement will protect the land for agricultural purposes, preventing subdivision and development. The conservation easement will ensure that the landowner maintains the natural resource values of the property that support agriculture, including its soil quality and water resources. The landowner has invested significantly in irrigation improvements, and is undergoing a removal of 500 acres of juniper to improve the overall pasture conditions of the property. This work will also maintain the natural resources that support the crucial wildlife habitat on the property.

Oregon Agricultural Trust is the project manager and will be the conservation easement holder.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that protecting the property would help maintain the land as valuable winter range that can support a viable agricultural operation. The associated protection of the water rights for agricultural use would be beneficial, as anticipated water policy changes in the basin could limit future availability of water in the region. Reviewers noted that the application's description of the property's attributes appeared to generically describe ranch property generally common in the region and lacked detail regarding why this property was itself significant.

Additional detail on the creek and surface water identified in the application would have provided more foundation for the reviewers to determine the project's strength in protecting and enhancing water quality, fish and wildlife habitat and other natural resource values. Without this detail, the reviewers noted they struggled to determine whether the project was addressing these values. Similarly, invasive grasses were described as present on the property, but the application does not speak to specific management strategies to address this issue, which could complicate the availability of quality range into the future. There are also notable benefits to mule deer and waterfowl, but how this specific easement would benefit those species beyond preventing conversion was not well articulated. Reviewers noted, however, that mule deer range is declining across the state, and any benefits to habitat connectivity is valuable.

Regarding investment and threat considerations, reviewers were encouraged that the juniper treatments that have been complete in partnership with NRCS demonstrate a commitment to setting up the property for future agricultural use and providing habitat enhancements. Reviewers agreed with the application's assertion of the threat posed from non-farm dwelling development in Lake County and that "ranchette" development is a plausible threat to the immediate landscape and is observable nearby.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. The application states they have completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

Ownership of the property appears to be simple. However the trust documents for the trust that holds the property should be reviewed to understand composition/trustees, authorities, etc. to confirm confidence in decision-making authority for the project. An updated report, specific to the easement property, will be required, and OAT has indicated that it will research and resolve any title anomalies. The title exceptions for "oil, gas and mineral interest separation" warrant further evaluation and documentation to determine the nature of the interests (e.g., leases versus reservations/conveyances). Further, many of these interests are identified as privately held, and OWEB will require the applicant provide documentation that it made a reasonable effort to acquire or extinguish these rights prior to accepting a mineral remoteness assessment.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7101-23836	Project Type:	Conservation Easement
Project Name:	Long Hollow Ranch		
Applicant:	Deschutes Land Trust		
Region:	Central Oregon	County:	Deschutes
OWEB Request:	\$340,407	Total Cost:	\$924,014

APPLICATION DESCRIPTION [PROVIDED BY THE APPLICANT]

The proposed Long Hollow Ranch Conservation Easement (Project or LHR) is located in Deschutes County between the City of Sisters and the community of Terrebonne, Oregon. Although much land surrounding the Project remains in agricultural production, it is located within a fast-growing area of the county where land ownership is becoming increasingly fragmented due to its proximity to the Cities of Sisters, Redmond and Bend, the low proportion of private lands available in the County, and the retiring population of farmers.

2T Sustainable Land & Cattle Co. (2T) are the controlling shareholders of LHR and this Project builds on the Land Trust's 170-acre conservation easement on 2T's neighboring ranch, Pitchfork T (OWEB grant no 223-7105-22611). The Project is adjacent to additional protected land including land managed by the Bureau of Land Management (BLM), the U.S. Forest Service (USFS), and two Deschutes Land Trust Preserves (Rimrock Ranch and Whychus Canyon, see attached map). The Property is also located within a core wildlife migration area for elk and a declining mule deer population and is mapped as having a relatively high probability of use during migration.

Development or fragmentation of the Project area would degrade wildlife habitat, impeded wildlife movement and compromise Deschutes County's rural, agricultural community. The Deschutes Land Trust will work with LHR to implement a conservation easement on 450 acres that will prohibit development of the property and include a management plan that promotes the regenerative grazing and farming practices of LHR. The Project, along with the neighboring easement, builds a solid conservation "foothold" in the area on which the Land Trust can build on through additional easement acquisitions. Project partners include Natural Resources Conservation Service (NRCS), Metolius Winter Range Working Group, and Deschutes Soil and Water Conservation District

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

The reviewers noted that the proposed project builds on previous state and federal investments -- the proposed conservation easement is adjacent to an OAHF working lands conservation easement grant awarded funding in 2023, though that project is still in progress. The 2023 OAHF grant was also able to leverage funds from the ACEP-ALE program. The property's adjacency to Bureau of Land Management and Forest Service land, which results in a connection to protected land along Whychus Creek, was one of the application's most convincing articulation of the property's significance. Reviewers agreed that a conservation easement on the property would help maintain an important habitat corridor for elk and mule deer—especially if fencing were upgraded to more wildlife friendly designs. Reviewers added that it would have been useful if the application had included more detail regarding specific ongoing management practices, such as the timing of migration with the grazing rotation schedule, to illustrate how the project would support both the agricultural production and grazing values, as well as the identified soil health values and ungulate use of the property.

Reviewers were not convinced by the application that the property was significant in terms of its contributions to regional agricultural viability and fish and wildlife habitat. Without the adjacent lands functioning under coordinated management with the same operation, the property in the application may struggle to support a viable agricultural business in the long term. The property was identified as being in fair to poor condition in terms of habitat and rangeland quality, and will require ongoing conservation and restoration to fulfill agricultural and habitat potential. While the agritourism component of the property is compatible with the agricultural use and could benefit the community through education around the importance of agricultural conservation, reviewers were concerned about the long-term impacts on the property's ability to stay in viable agricultural production.

The application describes a complicated ownership structure for the land and the 90-acre event space carved out of the middle of the property, which reviewers feared could complicate future management. Reviewers noted that the threat from the development of non-farm dwellings is especially high in the area, and placing a conservation easement on the agricultural land surrounding the event center would be beneficial by removing the option to further expand non-farm development. Overall, reviewers determined that the application could have benefited from a more detailed and convincing explanation of how the easement footprint corresponds with the protection of the conservation values, including how this configuration supports wildlife migration. The review team did not feel that the application provided sufficient context on how the proposed easement's boundary configuration will protect the identified conservation and agricultural uses, especially if the two spaces are under different management.

ORGANIZATIONAL CAPACITY AND SOUNDNESS REVIEW

DLT has been an accredited land trust with the Land Trust Alliance since 2009 and includes working land preservation in its organizational documents. The land trust has completed several land acquisition and easement transactions since 1995, including many with OWEB funding. The project team includes experienced land conservation and stewardship professionals with a track record of successfully completing and stewarding OWEB-funded projects. The land trust has 5 dedicated stewardship staff.

The property is owned by a multi-member LLC, which has the potential to complicate decision-making regarding the easement transaction. However, the LLC includes a majority share owner that could lessen the risk. The land trust has examined the title circumstances and there are few items that need additional consideration, including a partially severed mineral interest for which the land trust will need to make reasonable acquisition or extinguishment of the interest prior to resorting to a mineral remoteness

determination. The property's boundary circumstances need further review to resolve questions regarding the boundary location between the property and adjacent BLM land. The land trust plans to complete a boundary survey, which will help identify if any additional resolution is needed regarding potential encroachment.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7107-23850	Project Type:	Conservation Easement
Project Name:	Union Orchards		
Applicant:	Blue Mountain Land Trust		
Region:	Eastern Oregon	County:	Union
OWEB Request:	\$773,045	Total Cost:	\$1,048,094

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

Union Orchards is a 93-acre property located in Union, Oregon. Blue Mountain Land Trust (BMLT) is proposing to purchase a working lands conservation easement from Andrea and Tony Malmberg, permanently protecting its grazing uses and natural resource values. The property is managed for cattle and sheep grazing, and the Malmbergs' holistic grazing management has improved the property's grassland production, plant communities, and soil water storage capacity and reduced their dependence on irrigation. The landowners manage their property for long-term agricultural and financial viability of their grass-fed cattle and sheep business, as well as for long-term soil health and ecological resilience.

In addition to protecting agricultural viability, the conservation easement will structure a permanent instream transfer of water. Union Orchards holds 88.56 acres of senior surface water rights from Catherine Creek, a major tributary to the Grande Ronde River. With an 1874 priority date, these rights are among the most senior in the basin. Under the easement, the landowners will transfer 69.4 acres of these water rights permanently in-stream. Increased in-stream water enhances water temperature, maintains flows, and activates fish habitat, directly benefiting Oregon Conservation Strategy species such as mid- Columbia summer steelhead (Federal Threatened), Grande Ronde bull trout (Federal Threatened), mid-Columbia Spring Chinook (State Sensitive), and Pacific lamprey (State Sensitive). Consequently, the easement will protect, maintain, and improve flows in Catherine Creek.

BMLT has secured matching funds for a Natural Resources Conservation Service (NRCS) Agricultural Lands Easement (ALE) conservation easement. Partners on this project would be the Malmbergs, Blue Mountain Land Trust, NRCS and OWEB

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness and capacity review from OWEB due diligence contractors and OWEB staff based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers appreciated the applications quantitative description of current grazing management practices on the property and description of how improvements in soil health have led to a reduction in irrigation needs. Reviewers acknowledged the high-quality soils present on the property that, in addition to supporting the current ranching operation, have supported row crop, orchard, and dairy production in the past. Ultimately, however, the review team was concerned that the proposed permanent instream transfer of a significant amount of the water rights associated with the property would limit the ability of the land to support alternative agricultural production in the future, reducing the agricultural benefits of the high quality soils and effectively restrict the property's use to forage production and grazing. This was especially a concern for the ongoing agricultural viability given uncertainties associated with climate change.

The potential benefits to the availability of water for salmonids from the permanent water transfer were well articulated, but the review team noted that the permanence of the water rights instream transfer was discordant with the agricultural viability and diminished the significance of the property's agricultural resources.

Reviewers noted that the property's size was a limiting factor in the potential to support a viable ranching business on its own, though its utility to either be used in conjunction with other land to support an operation or function independently if combined with off-farm income was acknowledged. The house on the property makes it more valuable both in terms of discrete property value and in providing an opportunity for an owner-operator, but may also reduce the property's appeal to another operator that is looking to expand its agricultural land base. The property has significance in its use and availability to serve as a demonstration farm, providing co-learning opportunities on-farm for other agricultural operators.

The expansion of the City of Union's urban growth boundary was a well-documented threat of fragmentation and conversion, though the reviewers noted that Union currently has plenty of undeveloped land within its UGB, resulting in the threat of expansion being more distant than immediate. The use of a conservation easement to address the potential expansion proactively was acknowledged.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Blue Mountain Land Trust is an experienced land trust with a track-record of implementing land conservation transactions in the Blue Mountain ecoregion in Eastern Oregon and Southeastern Washington. BMLT is accredited by the Land Trust Alliance. According to the application, over the past 25 years, BMLT has completed 20 conservation easements and one fee title purchase, totaling 23,300 acres of protected land. BMLT appears to have the capacity and ability to handle the complexity of this transaction.

The property's ownership status appears simple, but updated title documents that confirm the vesting information is correct for the two tracts of land that constitute the entire property will be needed. The ownership structure does not present concerns about decision-making authority. The title documentation provided presents a relatively clean and uncomplicated title.

BMLT researched the BLM General Land Office (GLO) database to find that the land grant to the State of Oregon applicable to the property. did not include any mineral reservations, and confirmation and documentation substantiating this will be requested, as it was identified as an exception on the title documents. Moreover, BMLT will need to confirm that any additional reservations in the land grant to the State of Oregon do not impact the conservation goals of the property.

It was noted in review that there is a platted “paper” street that bisects the property into the western and eastern tract. While it appears that the landowners use this right of way as if it were their own land, and that no other adjacent owner uses this paper street for access, additional analysis would be required as to the county’s rights and willingness to potentially vacate this platted street since the property would be bound as one unit of land by the conservation easement.

After noting the permanent instream transfer references in the project application, OWEB staff initially suggested to the applicant that it could explore separating the permanent instream water transfer transaction from the conservation easement, as the OAHP cannot compensate a landowner for completion of the administrative process of transferring a water right instream. The applicant clarified that the proposal is to fund one transaction, a conservation easement that will encumber a portion of the property’s water rights for instream use and the land for agricultural and conservation purposes. The compensation for the conservation easement proposed for OAHP funding would be determined through standard appraisal procedures for conservation easements that include an encumbrance of water rights. The applicant stated the conservation easement would restrict how the water can be used by identifying the portion of the water proposed for instream use water as a habitat value and an in-stream transfer as a beneficial use. This approach would not accomplish a permanent transfer of the water instream, as water rights can only be transferred through an administrative process with the Oregon Water Resources Department. However, the applicant intends to facilitate the formal administrative transfer of the applicable water rights through the process required by Oregon Water Resources Department concurrently within the due diligence timeframe of the conservation easement project. The potential separation discussion was presented to the review team as part of the soundness considerations for the project to clarify the applicant’s use of the term “transfer” related to the water right.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7110-23855	Project Type:	Conservation Easement
Project Name:	Seely Farm Phase 2 Warren Seely		
Applicant:	Oregon Agricultural Trust		
Region:	North Coast	County:	Columbia
OWEB Request:	\$404,670	Total Cost:	\$727,801

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

1. The 484-acre Warren Seely Farm conservation easement project is located in Clatskanie, Columbia County. Adjacent to the existing OAHP/NRCS funded Seely Farm Phase I Harbormaster Beef conservation easement project, if funded, OAHP and OAT will have protected 869 acres of farmland in the Beaver Drainage Improvement Company (aka Beaver Drainage District.) 2. A combination of high-quality soils, location on the lower Columbia River, well-maintained irrigation infrastructure, and sufficient water rights makes farms in the BDIC highly versatile and resilient. The Warren Seely Farm, like many neighboring properties, is threatened by the rezoning of local farmland to industrial use by Columbia County for use by Port Westward, an entity of the Port of Columbia County. Port Westward, which has been a prospective site for coal export terminals, oil-by-rail shipment facilities, a fracked gas-to-methanol refinery, and - currently - a biofuel refinery and export terminal. Each of these development proposals and associated re-zonings jeopardize the farming community in the BDIC. This conservation easement will permanently preserve an additional 484 acres of high value farmland and keep it in active agricultural production. In addition to ongoing production of agricultural products, this conservation easement will protect the habitat for the Lower Columbia white-tailed deer, a Federally-threatened species. The property also contributes to the network of protected lands in the lower Columbia River region of the Pacific Flyway used by 150,000 migrating shorebirds for migratory and breeding habitat. Oregon Agricultural Trust is the project manager and will be the long-term conservation easement holder. 3. Proposed work is purchasing a conservation easement. 4. Project partner is the USDA Natural Resources Conservation Service, who has already funded the matching contribution for the CE purchase. (See attached ALE funding letter.)

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted that the property is unique and has highly productive soils which contributes to the area's appeal for high value agricultural crop production. Reviewers also noted they would have liked to see the suitability for high value agriculture on the property better articulated in the application, rather than relying on the knowledge and experience of review team members. The reviewers acknowledged that while Columbian white-tailed deer are likely moving through the property, the presence of high-quality habitat that

would support extensive use is lacking. Reviewers appreciated the detail provided about the aspirational desired future conditions of ditches on the property, but questioned whether native species would be able to establish even if the landowner was able to “lift” the wet ditch areas of the property as articulated in the application. Also, reviewers would have liked to see a discussion of the property’s hydrological connection to the Columbia River. Similarly, the application noted that the property is in the Pacific Flyway, but lacked detail as to how it functions to support migratory bird species and how the proposed easement would guarantee any articulated benefits.

The review team concurred with the application’s description of the threat posed by the ongoing expansion proposed and accomplished by the adjacent industrial use. The application’s articulation of the threat was well documented. The threat to the areas agricultural land base posed by this expansion was also well documented, with the application’s description of how the ongoing loss of agricultural use on property in the drainage district could result in the loss of a critical mass of productive land to support the work of the drainage district. This is a threat to the specific property in the application, but also was noted as a threat to the viability of all farmland within the district.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Oregon Agricultural Trust is a relatively young organization that has had success in completing working lands easements over the last three years. OAT includes the protection of working lands in its organizational documents. The application states the organization has completed three working land easements protecting 29,872 acres of agricultural lands through a variety of funding mechanisms. OAT is not yet accredited with the Land Trust Alliance, but provided documentation of policies and procedures comparable to an accredited organization. OAT currently has three full-time staff working on land protection projects, two with over a decade of land trust experience managing conservation projects, including significant experience with NRCS and other federal match funding partners.

An updated title report will be required, along with confirmation that the property is solely owned by the single landowner identified in the application. OAT indicated that the title circumstances are complex, due to mineral rights held by the state of Oregon and private entities, lease agreements and pipeline easements, and other items that will need to be resolved. The mineral interests held by the State and private entities will need to be clarified and OAT will be required to demonstrate that it made reasonable efforts to extinguish or acquire the severed mineral rights prior to OWEB accepting a mineral resource assessment. Boundary and access rights appeared well documented, but a survey and confirmation of legal access will be required.

Spring 2024 OWEB Grant Offering

Oregon Agricultural Heritage Program

Conservation Covenants and Easements

Application No.:	225-7103-23838	Project Type:	Conservation Easement
Project Name:	Wahl Ranch		
Applicant:	Wild Rivers Land Trust		
Region:	Southwest Oregon	County:	Curry
OWEB Request:	\$3,253,809	Total Cost:	\$10,551,414

APPLICATION DESCRIPTION [ABSTRACT PROVIDED BY THE APPLICANT]

The Wahl Ranch Conservation Easement Project is the purchase of a conservation easement on a 775-acre portion of the Wahl Ranch, located on the southern Oregon coast in the lower Elk River watershed. The Ranch is located about three miles north of Port Orford, about ½ mile west of Hwy 101, and immediately southeast of Cape Blanco, which is the western most point in Oregon and one of the most western points in the contiguous United States of America. The Project will perpetually protect 775 acres, including ~263 acres of fish and wildlife habitat priority area, ~1.1 miles of the Elk River including the Elk River estuary, large portions of two tributaries to Elk River, several wildlife ponds, and 0.6 miles of Oregon coastline.

This project presents an opportunity to protect, in perpetuity, a large family ranch and an ecologically critical piece of a 20 mile stretch of scenic coastline referred to by sailors as the “dark coast” for its lack of lights and development. It is the last and longest remaining stretch like it that is left on the Oregon coast, consisting of ten ranches, owned by eight families. interspersed with public parks and natural areas. For four generations, despite increasing pressures by residential and commercial development, not one of the ten ranches has converted out of agriculture. This project will also ensure investments made by public agencies, organizations, and the Ranch to restore and protect ecological areas supporting fish and wildlife are secured, including major restorations on Cedar and Swamp Creeks, with additional restoration work planned for both.

Partners on this project include the Wahl Ranch, Wild Rivers Land Trust, The Conservation Fund, the Natural Resources Conservation Service and the Oregon Agricultural Heritage Program. The project supports the recommendations of the Southern Oregon Northern California Coast recovery plan, Elk River Strategic Action Plan for Coho Salmon Recovery and the Oregon Conservation Strategy.

REVIEW

The review below is feedback provided by the application review technical committee during a review committee meeting and project soundness review from OWEB due diligence contractors based on the evaluation criteria described for conservation easement applications in OAR 698-015-0090.

TECHNICAL REVIEW

Reviewers noted the family legacy of ranching and farming on the land: Wahl Ranch has been in the family 150 years, is Curry County’s first Century Farm, and serves as a regional example of prosperous and responsible land stewardship in the context of agricultural production. The Ranch is the largest operating sheep ranch on

the south coast, and reviewers were impressed with the unique and special qualities of the property and the landscape it sits in. The Property has irrigation water rights, and maintaining water rights tied to agricultural land on the Oregon coast for agricultural use, was determined to be significant by the review team. Streams on the property--including Cedar Creek, Swamp Creek and the Elk River--offer overwintering and rearing habitat for coho salmon. The 0.6 miles of beach included in the project provide nesting habitat for western snowy plover, listed as threatened under the Endangered Species Act.

Reviewers noted that the application thoroughly explained the landowners' and land trust's approach to a project that includes working lands and fish and wildlife benefits in a complementary manner. Agricultural and habitat management zones reflect current land uses across the property, and all management zones, including the residential building zone and the agricultural building zone, appear to adequately and appropriately protect and guarantee ongoing agricultural uses and fish and wildlife habitat. Water rights on the property are currently leased instream for flow, benefitting fish habitat and water quality, while maintaining the ability to resume use for irrigation in the future if the need arises. This lease is possible due to reduced irrigation needs resulting from the current approach to grazing. Reviewers noted the easement would secure investments made on Swamp Creek to improve fish passage and habitat.

Reviewers commented that soils on this property are not especially high value for agriculture, despite "soil of statewide importance designation." This reduces the potential for the land to support alternative agricultural systems in the future. Currently, soil health is maintained through composting and innovative grazing that utilizes cell/mob grazing that has also proven highly effective at addressing invasive species presence, such as gorse. Reviewers noted that the long-time operational viability of the ranch made a strong case for the lands ability to support a viable agricultural operation into the future.

Reviewers concurred with the application's characterization of the threat facing working lands in the region, and specifically the property proposed for protection in the application. Pressure from recreational and residential development was demonstrated through notable encroachment from the north and south. The conservation easement was noted as a strategy for the multiple members of the LLC (LLC is described in the application as consisting of eight siblings) to secure the conservation and working lands uses of the property into the future as part of succession planning.

Reviewers noted the importance of OWEB's current investment through the OAHP and the secured NRCS matching funds, and indicated it was important to capitalize on OWEB's prior investment to bring the project to completion.

ORGANIZATIONAL CAPACITY AND PROJECT SOUNDNESS REVIEW

Wild Rivers Land Trust is the main land trust that serves Oregon's south coast and is accredited through the Land Trust Alliance. WRLT includes the protection of working lands in its organizational documents. While WRLT's Executive Director and Conservation Director are relatively new to their respective positions, they both have considerable experience working with land conservation in Oregon. WRLT has partnered with The Conservation Fund to assist with acquisition management and funding, which is helpful based on the size and complexity of the project.

The project's structure appears relatively sound from the application. Ownership of the property is vested in an LLC with eight members, though formal decision-making authority and procedure was not apparent in the application and will need to be documented. The property's title circumstances appear relatively clear for a rural property of this size. The conservation easement's management zones configuration, while it reflects current land uses across the property, are non-linear in places and will require more administrative and stewardship time to avoid inadvertent violations.

ITEM E, Attachment B



Oregon Agricultural Heritage Program

November 7, 2024 OAHP Commission Meeting



Tina Kotek, Governor

The following table shows the review team ranking of each OAHP Conservation Easement grant application. The review team generally found that all of the following projects were "qualified" in terms of meeting basic OAHP CE program requirements and thresholds. The staff report for this agenda item describes some of the qualities of the highest and lowest ranked applications.

The table shows the amount requested for each project, and in the far right hand column, the total amount of grant funds that would be cumulatively committed depending on the location of the funding line.

<i>Rank</i>	<i>App #</i>	<i>Application Name</i>	<i>Applicant</i>	<i>OWEB Ask*</i>	<i>Running Total Request</i>
1	225-7108-23853	Wahl Ranch	Wild Rivers Land Trust	\$3,253,809	\$3,253,809
2	225-7101-2383	Carman Ranch	Wallowa Land Trust	\$793,410	\$4,047,219
3	225-7105-23848	Country Heritage Farms	Oregon Agricultural Trust	\$1,260,478	\$5,307,697
4	225-7106-238849	Box T Ranch	Blue Mountain Land Trust	\$1,092,008	\$6,399,705
5	225-7103-23839	Albertson Ranch	Oregon Agricultural Trust	\$198,573	\$6,598,278
6	225-7102-23838	Ginochio Ranch	Oregon Agricultural Trust	\$425,113	\$7,023,391
7	225-7109-23855	Seely Farms Phase 2	Oregon Agricultural Trust	\$404,670	\$7,428,061
8	225-7104-23844	Albertson Family Limited Partnership	Oregon Agricultural Trust	\$337,603	\$7,765,664
9	225-7100-23836	Long Hollow Ranch	Deschutes Land Trust	\$340,000	\$8,105,664
10	225-7107-23850	Union Orchards	Blue Mountain Land Trust	\$773,045	\$8,878,709
				GRAND TOTAL:	\$8,878,709

Spending Plan Target**: \$5,081,036

Difference from Total Amount Requested \$3,797,673

ITEM E, Attachment B

*Final OWEB ask numbers may be adjusted based on final OWEB fiscal budget review.

** Pending recapture of funds from cancelation of grant #223-7101-22522.

Proposed Conservation Easement Projects

2024 OAHF Applications

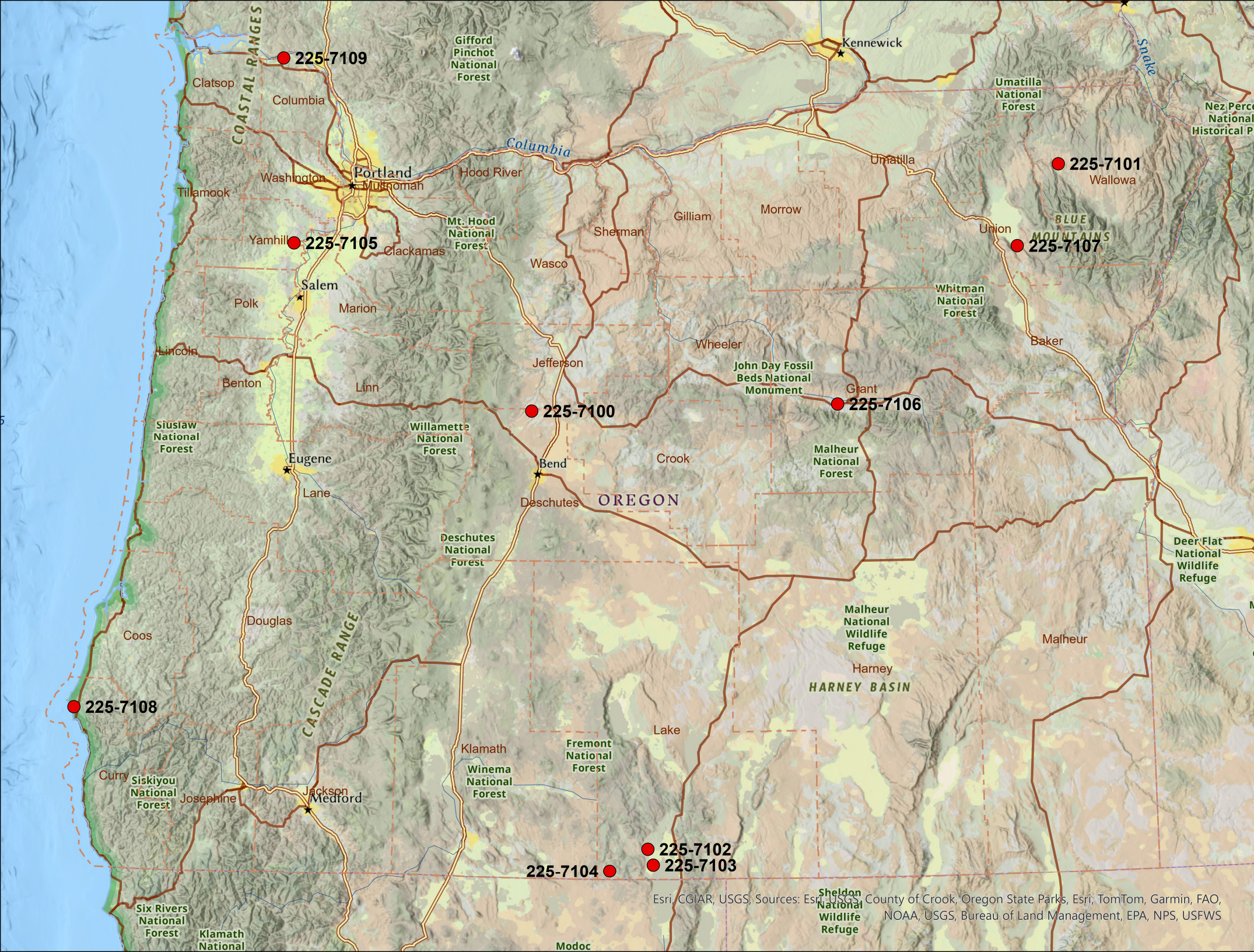
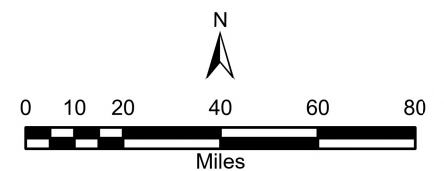
- 2024 Conservation Easement Applications
- ▭ Counties



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<https://www.Oregon.gov/OWEB/>

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Esri, CGIAR, USGS, Sources: Esri, USGS, County of Crook, Oregon State Parks, Esri, TomTom, Garmin, FAO, NOAA, USGS, Bureau of Land Management, EPA, NPS, USFWS