

February 27, 2013

Dear House Committee on Land Use:

This letter is in regards to House Bill 2173, expressing specific concerns about the language and intent of the bill. I write both as a landowner with a farm zoned for exclusive farm use, and as a researcher in agricultural engineering and water resources. I believe that the amendments posed by the Farm Bureau would not serve the public good, and instead are narrowly focused to benefit a select few. I care deeply about the future of agriculture in Oregon- it is my life's work both as a farmer and a researcher. ***We all recognize that the land that we cherish provides us with many services and goods that we depend on, from agricultural products to clean water. It is our responsibility as citizens to do our best to preserve all aspects of the landscape for future generations.***

My family has allocated a significant part of our farm to riparian buffers, with the specific intent of protecting water quality and habitat for future generations. We do not receive easements or payments for this land, but we have been supported by the local watershed council and NRCS office in these efforts. In my field work on irrigation and in water resource allocation, it is clear that many farmers who care about the natural world make great sacrifices without asking for anything in return. ***As a society, we benefit when those who manage the land consider long term benefits, and not just short term profit.*** It is our responsibility to value these contributions and hold these efforts in our esteem. It is my urgent request that the Committee ***consider the social good of wetland and riparian conservation, and reject the suggestion that conservation is equitable development such as private airports and asphalt processing.***

The idea that conservation is in conflict with agriculture and forestry is an empty claim- the most strident and knowledgeable advocates for wise use of resources come from these industries, and natural resource professionals are vocal advocates for the preservation of our historic cultural landscape. While conservation easements and wildlife restoration is not appropriate everywhere, many farmers and foresters in Oregon are committed to conservation, and can find some part of their property to dedicate to these uses. With nearly all wetlands and native habitat lost in Oregon, we recognize the need to try to protect and restore the remaining habitat that remains. The benefit to society is difficult to measure, but essential by all accounts. Restricting or impugning those farmers who want to contribute to the public's benefit would be shortsighted. ***The suggested amendments specifically intend to inhibit any mechanism to incentivize these social goods on private land; they would hamper meaningful and feasible improvements to public water resources.***

Furthermore, to attribute incidental risks to restoration activities to these farmers is in my estimation erroneous and possibly disingenuous. While failures of engineered projects do occur, the failure of these projects is inseparable from the normal risks we all accept by farming in the

real world. While it is difficult to identify specific causes of failure, it is nearly impossible to isolate the causes of flooding erosion, and similar problems in farmland. The long history of alternations to the landscape include dredging, dam management, clearing of the vast majority of the native vegetation. Certainly, many problems can be equally attributed to such practices. ***The idea that farmers attempting to make some improvements should be held liable for natural variability in floodplains is preposterous.*** Furthermore, gross negligence is rightly covered in the existing law. Unless there is gross negligence, we do not hold farmers and foresters accountable for acts of nature- these are the normal risks of living in a world with storms and droughts.

Oregonians recognize that a business as usual approach is not enough- we must continue to find new ways to deal with the changes in the climate, in the global economy, and with growing populations at home. The idea of restricting some of new ideas seems absurd- we will need every tool at our disposal if we want to keep Oregon green with farming and with a healthy environment. Farmers know very well what it takes to make a living from the slim margins yielded by the landscape. ***We allow a wide array of farm development and activities in Oregon, understanding that farmers are often the best judge of wise use and safety when it comes to managing their own land-why would we now restrict such an obviously beneficial use?*** The idea that the Farm Bureau proposed to restrict farmers' choices and increase liabilities seems counter to the very idea of supporting farmers. This bill takes a narrow view of farming, and I believe it is trying to foolishly limit our choices of how to use the land for the benefit of all.

My family and my neighbors strongly urge the Committee to reject the proposed alterations, and affirm Oregon's commitment to clean water and vibrant agriculture, now and in the future.

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