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TO: The Honorable Brian Clem, Chair
House Committee on Agriculture & Land Use

FROM: Palmer Mason, Senior Policy Advisor

RE: **House Bill 2573**

Under current law, the definition of "high-value farmland" encompasses tracts outside of the Willamette Valley used to grow "specified perennials"[1] on a certain date (November 4, 1993). HB 2573 would exclude cranberries from this list and, as a result, tracts in cranberry production would be removed from the definition of "high-value farmland" if they fail to meet other elements of the definition. This bill raises important policy issues the committee should consider in its deliberations. The department takes no position on HB 2573 and this memorandum is only offered to explain potential implications of this legislation.

ORS 215.715(1) defines high-value farmland based on the soil classification, which includes "prime, unique, Class I or Class II" soils. A substantial percentage of the soils currently used to support cranberry production would be considered "unique." If this is the case, the bill only accomplishes removal of cranberries from the "specified perennial" part of the high-value farmland definition, leaving counties to consult the Natural Resources Conservation Service map for soil types and location.

If cranberry farms are no longer considered high-value farmland, it would change the income level needed to qualify for a primary farm or non-relative accessory dwelling from $80,000 to $40,000 annually. In addition to permitting this non-farm development, other non-farm uses could be constructed over cranberry farms, including golf courses, private parks, and landfills.

[1] ORS 215.710(2) provides: "'specified perennials' means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards but not including seed crops, hay, pasture or alfalfa."