

March 14, 2025

Senate Committee on Natural Resources & Wildfire
Oregon Legislature

RE: Opposition to SB 74 with -2 Amendment

Chair Golden, Vice-Chair Nash, and Members of the Committee:

Oregon Farm Bureau (OFB) is the state's most inclusive agriculture organization, proudly representing over 6,500 family farms and ranches that produce more than 220 agricultural commodities. From hops and hazelnuts to cattle, cranberries, and timber with operations spanning from just a few acres to thousands, our members utilize all farming methods including organic, conventional, regenerative, biotech, and even no-tech.

My name is Ryan Krabill, and on behalf of OFB, I appreciate the opportunity to provide preliminary comments on Senate Bill with its -2 amendment.

We recognize the need to establish clear policies regarding the determination of navigability and the management of state-owned waterways. However, consequential policy decision-making that seeks to redefine waterway boundaries or alter ownership claims over submerged lands should be conducted with early and meaningful stakeholder engagement, particularly with the landowners who are directly affected, including farmers and ranchers.

The Need for Early Stakeholder Engagement

Oregon's farmers and ranchers rely on stable property boundaries and secure water rights to maintain their operations. The provisions in SB 74-2 allowing for "ambulatory boundaries" introduce new complexities, as the gradual movement of rivers and streams could shift landownership over time. While we understand the core intent of this policy and appreciate its acknowledgement of the need for greater efficiency within state regulatory agencies, its impact on agricultural operations, land security, and rural economies should be carefully considered in consultation with affected landowners prior to the adoption of significant changes.

Engaging landowners early in the policy development process would help address key concerns, including:

- How shifting boundaries could affect existing agricultural land uses, water rights, and property management.
- What legal and financial protections should be in place for landowners whose property may be impacted.
- Whether existing processes provide sufficient clarity and predictability for landowners to adapt to boundary shifts.

Notification and Compensation Considerations

We encourage policymakers to carefully evaluate the notification process and compensation mechanisms associated with changes in waterway boundaries. If landownership is altered due to natural changes in a waterway, landowners should be informed in a timely, transparent, and accessible manner. A well-defined notification process would ensure that impacted landowners are aware of potential changes and have the opportunity to engage in discussions about their property and water access rights.

Additionally, compensation policies should reflect the full value of the land and its use. If a property owner is required to exchange land due to a shifting boundary, any compensation or land trade should be conducted equitably, ensuring that landowners are not left at a disadvantage.

Moving Forward

The Oregon Farm Bureau appreciates the opportunity to provide input on SB 74-2 and encourages the Legislature to continue working closely with agricultural stakeholders as this issue is considered. Ensuring early engagement, clear notification protocols, and fair compensation policies will help achieve a balanced approach that protects both public interests and private property rights.

We look forward to working with the Committee on solutions that uphold landowner certainty, agricultural sustainability, and responsible waterway management.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan J. Krabill', with a long horizontal flourish extending to the right.

Ryan J. Krabill
Oregon Farm Bureau