

Opposition to HB 1154: Alexandra P. Clarke

According to the USDA National Agricultural Statistics Service **96.7%** of Oregon's farms and ranches are family owned and operated. Some are "corporate" farms because they are incorporated for tax/family succession plan reasons. (Source: p. 10 in Oregon State University Extension Service Rural Studies Program)

Agriculture is linked to Oregon's economy with 15.4% of sales, 20.3% of jobs and 12.9% of value-added from the food and fiber industry. Food processing is one of the two top performing manufacturing industries in Oregon. Oregon's economic strength depends on a robust agricultural sector. Agriculture including forestry, fisheries, food, and fiber support both rural and urban communities providing more than half a million jobs statewide; therefore, significantly contributing to national and international markets.

Oregon boasts 35,547 farms, 96% of those farms are family-owned and operated.

Larger farms make up less than 10% of the total. They make up two-thirds of the state's agrarian economy. This balance provides the economic resilience Oregon needs to sustain its agricultural balance.

Oregon government resources report that their focus going forward is: water security and climate resilience, reliable agricultural workforce, livestock and animal disease prevention, and sustainable long-term industry strategies. The government is concerned with improving transportation infrastructure and making strategic economic investments, as such to foster a resilient agricultural sector.

Labor shortages and rising operational costs remain defining challenges for Oregon's farmers and ranchers. Challenges to our agricultural sector are rising wages, housing affordability, market fluctuations, and workforce availability.

Oregon's agricultural industry operates on thin margins with a competitive global market that puts pressure on agricultural businesses in Oregon to keep costs low impacting their ability to pay increasing wages. Our agricultural sector is constantly trying to adopt new more efficient methods to mitigate the high costs of production. These efforts are most important to keep farms operating, jobs, and economic well-being in our rural and urban communities.

Recently, Oregon has confronted a series of natural disasters not experienced previously on such a large scale that affected local rural areas' economy. The 2024 wildfire season was the worst in the state's history where, particularly in our agricultural community, rural areas suffered long term hardship due to crop and livestock losses and infrastructure damage where agriculture anchors local economies.

Federal and state recovery programs have had to step in to help producers replant, rebuild, and sustain their operations:

Oregon HB 1154 is literally "banking" on the fact that Oregon needs proactive strategies to reduce wildfire risk and strengthen emergency response systems to protect agricultural operations, limit crop

losses, and help rural communities sustain agricultural operations. Government resources state that collaboration among state natural resource agencies is crucial for maximizing resources and building public trust.

The State claims that state and federal partnerships support modern irrigation infrastructure, watershed restoration, water availability, and nitrate reduction program efforts that provide immediate relief strengthening long-term water security.

Considering the information discussed above, this premise is certainly a false narrative supporting government, albeit surreptitiously, intervention and takeover of private water and land rights based on the fact that government intervention in water use is best governed/controlled by the government since it is said to “own lands under navigable waters and to hold such lands in trust for the benefit of the people of the state. According to this doctrine, these submerged lands may not be sold or otherwise alienated by the state except in a manner that promotes the public interest.” (Gifis, Law Dictionary 2nd ed) So, when does this control slowly morph to the government condemning property using the exercise of its eminent domain power? Does this bill lead into the public’s right of use or to benefit from such condemned property? Or, does that “public use” contribute to the general welfare and prosperity of the whole community (all of Oregon) or government coffers? Does a public use exist in HB 1154 or is it a mere public interest?

Once the state takes control of private water rights, controls its use, invades private property to make inspections, charges by meter measures, and pipes irrigation canals, along with other requirements created by the state powers that be, it will become economically dependent upon the water control related income stream to bolster government budgets. For example, look at Portland Water Bureau’s (PWB) manipulation of the city’s water to continue as the for profit arm of the city’s government with the power to cut off water to residents who do not pay their bill. The disaster at Boring where a bid to Portland City Council of \$500-800mm to build a laser treatment plant at the Bull Run headwaters to filter out cryptosporidium quietly became a \$2.2 – 3 B complex water filtration project encumbering Portland water users with 8% annual increases to their water bills in July for who really knows how long. All of this without the benefit of a public vote. Not only did the PWB ride rough shod over its own citizens, they transgressed their own timber land in Boring, used eminent domain to widen roads, tear down private fences, landscaping and more until the citizens of Boring filed a LUBA lawsuit where the state land use board finally handed a Stop Work order to Multnomah County.

As an aside, take a look at PWB salaries.

If HB 1154 passes, property owners throughout Oregon can expect much the same treatment once the legislature gives over such control over all state private and corporate property water use – water is a commodity all living things need to exist. Giving the government such broad powers over a lifesaving commodity with the ability to cut that lifesaving resource off is incredible leverage to produce ever increasing income for the government and to take private lands in the name of the public good and increased tax revenues for the state and its municipalities.

The information and facts used here were taken in part from the report at:

<https://www.oregon.gov/oda/Documents/Publications/Administration/BoardReport.pdf>

Submitted by the Oregon State Agriculture Board Report 2025.

Sincerely,

Alexandra P Clarke, MAFM