

Oregon State Board of Agriculture
February 2023

Written Public Comments

Item	Name	Topic	Date Received
Item 01	Peggy Lynch League of Women Voters of Oregon	Legislative Priorities 2023	02/02/2023
Item 02	Patrick Fay Hentze Family Farm	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/08/2023
Item 03	Erica Thompson Blueberry Meadows	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/08/2023
Item 04	Jeremy Mitchell Flying Bee Ranch	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/09/2023
Item 05	Steve Bade	Farm Café Bill	02/09/2023
Item 06	Jim Ables	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/09/2023
Item 07	Antonia Partridge	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/09/2023
Item 08	Willamette Valley Agritourism Network	Resolution 310 – Siting of agri-tourism, entertainment activities and associated activities on agricultural lands.	02/09/2023

Item 1



The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

February 2nd, 2023

To: Oregon Board of Agriculture
c/o Karla Valness, Senior Policy Advisor
Karla.VALNESS@oda.oregon.gov

Re: Board Invitation and 2023 League of Women Voters of Oregon Priorities

The League of Women Voters of Oregon appreciates the Board's invitation to share our priorities related to agriculture for the 2023 session. The League supports Oregon agriculture and continues to remind decision makers that it is the 2nd highest economic engine and the most stable industry in Oregon. Goal 3 of Oregon's land use planning program is critical to providing food not only for Oregonians but the world. Oregonians need more housing, but they also need food. We need adequate serviced lands for other industrial uses, but again remind decision makers that agricultural land IS industrial land and, once paved over, is gone. We work to balance all those needs within our land use planning program.

The League believes that agriculture should play an important role in addressing climate change; therefore, we support [SB 530](#), the **Natural Climate Solutions bill** which authorizes natural resource agencies to provide support to forest landowners, ranchers and farmers for voluntary techniques that not only increase carbon uptake and storage but provide secondary benefits of reduced water needs, increased output and overall improved quality and quantity of water. It is designed to help leverage federal funding and private investments in natural climate solutions on natural and working lands. Our volunteers have engaged in development of this bill and continue to refine it for passage. There are budget requests that accompany these policies which we will also support. We were pleased by the department's funding related to soil health and hope for continuation of that work.

As in previous presentations before this Board, we continue to support policies that assure "Abundant Clean Water for All". This last year we were a part of the [House Bill 5006 \(2021\)](#) Work Group and support the [report](#) filed with the legislature. Place-Based Planning is a good tool, but we urge you to read Section 1 of this report where we note the need for data and staffing for water agencies. We are hopeful that the myriad of federal funding opportunities can be accessed by Oregon for Oregonians.

The League participated in both the 2012 and 2017 [Integrated Water Resources Strategy \(IWRS\)](#) and want to acknowledge the recent Secretary of State's [advisory report](#) on Oregon's water needs. The 2021 and 2022 legislative sessions took great strides in addressing the funding issues, but we need to keep those gains and add on in 2023. To that end, LWVOR will continue to support funding for ALL of Oregon's water needs, including those of agriculture. We hope you will consider the multiple budget requests for various agencies as noted on pages 13-14 of the [2017-22 IWRS Progress Report](#).

The League is particularly interested in the agency's request budget packages under Natural Resources and Pesticides Policy. In 2021 the League published a study on [Pesticides and Other Biocides](#) and have now adopted new positions we will use to advocate on these important issues.

Thank you for the opportunity to share this information with you. We look forward to working with the Board and with others on these important policy and budget requests for 2023.



Rebecca Gladstone
President LWVOR



Claudia Keith
Climate Emergency Coordinator



Peggy Lynch
Natural Resources Coordinator

Cc: [LWVOR 2023 Legislative Priorities](#)

Subject: Written Comments re: Agritourism

Date: Wednesday, February 8, 2023 at 10:38:17 AM Pacific Standard Time

From: Patrick Fay

To: VALNESS Karla * ODA

Dear Chair Boyer and Board Members,

I represent Hentze Family Farm in the South Willamette Valley. We are a certified century farm. We are woman led (grandma is the big boss; my wife is VP). And we are directed by a US Navy veteran, me.

I don't see that this "resolution" accomplishes much.

It looks like more lip service to me.

First off, agritourism needs better consideration than the last agenda item in a one hour board meeting. That's insulting in and of itself. The current codification of agritourism is being perverted to oppress economic opportunity in rural Oregon.

99% of all agritourism issues are solved by passing the Farm Cafe Bill. A common sense celebration of Oregon harvests on Oregon farms.

But I'll give you a window into agritourism as it pertains to what we do here at Hentze Family Farm. We have a mobile food unit. A food trailer here. And we serve "farm to table" offerings out of said food trailer.

For example, I created a "Pulled Pork Sandwich with Black Cherry Barbecue Sauce and Spicy Slaw". I created this dish because we have a cherry orchard and a produce patch. And before the pandemic we held a "Cherry Festival" every year. We have one of the only small format cherry pitters in the state. Which supports the area's smaller orchards. It's cast iron. It's more than 80 years old and it's awesome.

I don't know about all of your gobbledeygook about "subordinate if found to be accessory to, supplement or be adjunct to the farm use", but I wanted to offer something that was "farm to table" at the farm. "Field To Mouth", we like to say. Or, "Come put the farm in your face."

Why? Because Oregon is comprised of the most food sourcing savvy demographic in the nation. We are the progenitors of "farm to table". At least as a MARKETABLE aspect of our regions food and beverage businesses.

These current land use limitations in Oregon, as it relates to hospitality, or agritourism are an embarrassment. If you support what is currently on the books concerning farm hospitality? You should be ashamed.

Right now "farm to table" is only predominantly available in urban areas. And it isn't that affordable. Further, our little burg here, Junction City, has 7 fast food joints. That's one garbage producing restaurant for every 1,000 citizens. Let me assure you, Taco Bell and McDonald's are NOT buying Oregon harvests. And if they are? It's only in emergency situations. They have shareholders they are responsible to, after all. Is that the same as "stakeholder groups".

That means cuisine, prepared meals, developed from Oregon farm harvests, are not for available for rural Oregonians. No. Rural Oregonians, who make less than their urban counterparts, are limited to cheap garbage from national franchises.

You know what comes up when folks visit The Cook Shack? The need for a tasty beverage. But Oregon EFU land use is extraordinarily myopic, and prohibitive, in this regard.

I wish that every person, whether it's the "so called" 1000 Friends, Friends of Yamhill, or other "land use advocates" had to post up at The Cook Shack and explain to them why I don't have an ice cold beer to serve them with my pulled pork sandwich.

Watch as their eyes glaze over as I inform them that, here, in Oregon a farmer is only allowed to serve alcohol on their land by use of a temporary alcohol permit. And the limitations to that are defined under the "outdoor gatherings" provision of ORS 197.015. That law states that a farmer can only hold "outdoor gatherings" four times per year and they must be 90 days apart.

You think the guest to our farm gives a rats patooty?

They just want a beer with their sandwich!

Newsflash! Oregon is one of the great craft beverage regions in the world! Leaders and trailblazers in craft beverage production up and down the entire industry. All of the preferred craft hops? Predominantly out of OSU. Process chilling procedures for craft beverage production? The standards are set by Junction City's own G&D Chillers.

Now that's a celebration of Oregon agriculture!

But go to a small winery? And it's cold cuts and chips for your pairings. Prepackaged junk.

Hospitality in farmland is a joke. An absolute embarrassment. These are your options? In wine country that is often compared to Burgundy?

Unless you're a "Large Winery". Then, by law, you can open a brick and mortar restaurant that will rival anything in downtown Portland, Seattle or San Francisco.

And that's the proof that the "land use advocates" are full of horse manure. Only big, rich farms may conduct agritourism responsibly?

What exists currently is "revenue robbery".

When I can offer an adult beverage service at The Cook Shack my revenues double.

We are well on our way to becoming one of the only true Oregon Farm Breweries. We are in EFU. But the process to get there is extraordinarily hard. And, at every turn, it is the land use limitations in EFU that exacerbate the process.

Worse, it's just lazy lawmaking. The Winery statute, the Cider Business statute, and the Farm Brewery statute all use 15 acres as the general metric of farmland devoted to the harvest for craft beverages. As if 15 acres of grapes would yield the same volume, or economy, as 15 acres of apples or hops.

Or the dumb "setback" rule. I'm currently in limbo on the brewery because Hentze Family Farm is two different Hentze parcels. And has always been so since WWI when Johan Hentze gifted Einar Hentze 5 acres for he and his new wife to build a house on. The house I'm raising the 6th generation to live and work on this farm.

I will let you all in on a badly kept secret: It is not bars and restaurants that put small farms out of business. It is big farms that put small farms out of business.

All the current agritourism restrictions in EFU only support opportunity for the wealthy and the privileged.

We are facing existential threats. Climate change. Global pandemics. Nuclear War.

But only big business gets to make a profit in Oregon farmland? Gimme a break.

These so called "friends" of Oregon are no friends to small family farms looking to expand revenue

opportunities. They are only friends to the exceedingly rich.

And it's so easy to codify these operations as to be synergistic to Oregon harvests. Or to responsibly combat "urban sprawl".

I only serve Oregon made hotdogs at The Cook Shack. Zenner's and Olympia Provisions. No one made me. But that's what makes sense to me. And it should make sense to all Oregonians wanting to expand agritourism on their farms. Just require it to be say, 75%(?) local stuff. Duh. It's really simple.

Responsible agritourism in Oregon, as it pertains to our farm, is creating value added products for immediate consumption. Whether it's the Blueberry Ketchup for our Sweet Potato Fries, or the Warm Bacon-Apple slaw for our Bratwurst, or the aforementioned Black Cherry Barbecue sauce. I've been to these Large Winery restaurants. I've got as much, or more, Oregon farm harvest/production on my menu than most of them. We ain't growing octopus or mahi mahi in Oregon.

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Cheers!

p.

Patrick Fay

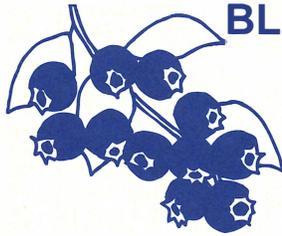
HENTZE



hentzefamilyfarm.com

541-203-0496

Item 3



BLUEBERRY MEADOWS

3860 NE Highway 20
Corvallis, OR 97330
(541) 753-2614

February 8, 2023

Oregon Board of Agriculture
635 Capitol St NE
Salem, Oregon 97301

RE: Resolution 310

Dear Oregon State Board of Agriculture Members,

As a second-generation small farmer in my thirties, I support an extension of legal agritourism activities on small farms. While I understand the concern that increased agritourism may have negative impacts on agricultural areas, I feel that in my case, and in the case of many other farmers, the opposite is true. Lessening the restrictions on agritourism would actually help farmers like me keep farming, by increasing the financial viability of our operations. I feel this is especially the case with farms located on the edge of growing urban areas, as is the case with my family's farm. Even a small increase in allowable agritourism activities could make a sizable difference to our farm's income and viability. Current farming activities would continue as usual with no change to the landscape, while our operation would have some additional safety cushion of agritourism income.

I support an agritourism policy that is more permissive than the current policy, but one that is reasonable, that is nuanced, and that takes into account the perspective of small farmers who are passionate about pursuing farming as a viable occupation. I feel strongly that lessening the restrictions on agritourism has enormous potential to improve the lives of both rural and urban Oregonians, and I hope you will see this too.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in green ink, appearing to read 'Erica Thompson'.

Erica Thompson

blueberrymeadowsoregon@gmail.com



Flying Bee Ranch
5180 Lardon Rd. NE
Salem, Oregon 97305

February 8, 2023

Oregon Board of Agriculture
635 Capitol St NE
Salem, Oregon 97301

RE: Resolution 310

Dear Oregon State Board of Agriculture,

Thank you for taking the time to read my comments in opposition to the Resolution 310.

The Oregon agritourism industry has an incredible potential to continue enhancing the connection between people, places, and agriculture in Oregon. Instead of regulating the industry out of business, I propose the ODA continue to fund grants and promote the industry to increase business. Young and small-scale farmers are increasingly being out competed by large farms. We don't all have the luxury of scale and economics to make a living on small farms by growing and processing crops alone. In an effort to diversify my small farming operation, I have incorporated agritourism to diversify my business without taking away any production potential on my land.

Regulating agritourism activities to be "directly related to commercial farm use or processing activities occurring on the subject farm or ranch operation" takes the oversight of the ODA too far, in my opinion. I believe that many agritourism activities unrelated to commercial farm use on a farm can coexist. For example, someone may like to host a night sky-gazing event on their farm. Viewing the night sky from rural farm land is a unique experience and represents the lifestyle farmers get to enjoy. If approved, Resolution 310 may restrict farms from sharing such an experience because night sky-gazing is not directly related to commercial farm use or processing activities.

The regulation of the agritourism industry should be left at the county level where local considerations can be applied. Please consider inviting the agritourism industry as a stakeholder to the table for further discussion, and voting no on Resolution 310.

Sincerely,

Jeremy Mitchell
Owner/Beekeeper
Flying Bee Ranch

Subject: comment regarding State Board of Agriculture - Workgroup B
Date: Thursday, February 9, 2023 at 1:03:51 PM Pacific Standard Time
From: Steve Bade
To: VALNESS Karla * ODA

I'm writing to let you know I think everyone should support the Farm Cafe Bill. Thanks for your time.

--Steve
Steve Bade
Eugene

Subject: BOA Public Comment February 2023

Date: Thursday, February 9, 2023 at 2:58:58 PM Pacific Standard Time

From: Jim Abeles

To: VALNESS Karla * ODA

I am writing regarding Resolution 310 to request that the Board NOT approve the current resolution and instead take the time to get input from the community to create a revised resolution that adequately meets the needs of farmers today.

My wife, Katherine Topaz, and I own Topaz Farm on Sauvie Island, outside of Portland.

We grow nearly 100 varieties of vegetables, herbs and various fruits on our 130 acres and we donate space to multiple 501c3 farming organizations. We also bring children here, primarily from underserved schools, to experience and learn about farming. We also offer workshops on regenerative farming, biochar, bokashi and more.

Because we grow everything chemical-free and are using regenerative practices, we struggle financially. Without agritourism activities and revenue, we would not be financially sustainable and would be at risk for selling our farm. Here in Multnomah County, that might be yet another farm that's no longer farming and the property instead converted into a private, single-family estate.

Aside from helping farmers keep farming, agritourism has many other benefits; it allows us to pay living wages to our staff, it allows us to keep many more people employed than possible without activities - and we know from analyzing customer data that we help drive tourism with out-of-state visitors coming to our farm-to-plate dinners and live music performances. Visitors stay in hotels, dine and shop locally and visit and support other farms. Agritourism is important for the local community as well as the overall state economy.

Additionally, the proposed statewide resolution will conflict with county level land conditional use processes established in conjunction with Senate Bill 1010. Acceptable agritourism practices vary regionally in our state - even vary locally on near or adjacent lands. These are best resolved within local land use jurisdictions.

Please do not approve the current resolution.

Thank you for your consideration,

James Abeles

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www.topazfarm.com

17100 NW Sauvie Island Road

Sauvie Island, Portland 97231

503 504-8000 cell

Subject: Re: Question on Resolution 310

Date: Thursday, February 9, 2023 at 4:01:42 PM Pacific Standard Time

From: Antonia Partridge

To: VALNESS Karla * ODA

Hi Karla,

Thanks for your prompt reply. Please forward my comment, which follows, to Workgroup B.

To: State Board of Agriculture, ODA, Jim Johnson and all Workgroup B members

Re: Public comment on proposed resolution 310, agri-tourism

Date: February 9, 2023

From: Antonia Partridge, Owner Operator Wee Family Farm LLC, Yamhill County, Oregon

I am a farmer living in Yamhill County who will be directly affected by the proposed resolution. Resolution 310 concerns me with aspects I strongly support and strongly oppose. Overall, I do not support the resolution in its current form. With some changes, I could support the resolution.

I support the goal of Resolution 310 to create equal treatment of all farmers' agri-tourism activities in all counties across Oregon. Also, I believe more must be done to foster equity between farmers, specifically by leveling the playing field between the wine industry and food-producing farms, as well as between small and large-scale farms.

The current regulation around agri-tourism is not equitable and favors wineries and breweries which have more options for agri-tourism. I propose that ODA change the language to provide at least equal treatment for all farms that produce food, and consider favoring small family-run farms. Farms where the primary product is alcoholic beverages for adults only should not receive more leniency and permissive regulation than farms that provide foods for all Oregonians, including children. My farm that sells pasture-raised meat, including pork, lamb, and chicken, also breeding stock, eggs and vegetables, is equally, if not more important, to a vibrant farm economy and healthy community. I argue that ODA should reverse its favoritism towards the wine industry. Small family-run farms that provide wholesome food to our entire community should be the farms that ODA supports most.

I support creation of a micro-agri-tourism exclusion. This would be similar to the existing ODA exclusion for micro-dairies that provides a lower and more accessible level of regulation to the smallest scale farmers. Current regulation for agri-tourism favors large farms with big incomes and often excludes land owners, like me, with smaller properties and lower incomes. As a specific example, I would like to host farm stays on my sheep farm using traditional shepherd's huts to house guests. I don't want to build a large Bed and Breakfast or host mass gatherings. I'm looking to create a small, educational, hands-on farm experience for just a few guests who visit for an overnight stay at my rural and remote farm in a beautiful setting surrounded by forest properties. I am a farmer as my sole occupation and my farm income is low from my 9.3 acres of owned property (plus additional leased acreage I manage). Under the current guidelines I cannot qualify to host farm stays because my scale is too small. The ODA micro dairy exemption for milk sales applies to me. I hope you can create a similar agri-tourism micro exemption for very small farms like mine to add agritourism income to our farm operation. The micro exemption I propose could add to the financial viability of

many of the small rural properties in Oregon and promote diversity of products and farm experiences accessible to everyone.

Thank You for your time considering my comments. I welcome an invitation to participate further in the discussion around agri-tourism and resolution 310.

Sincerely,

Antonia 'Ann' Partridge
Owner Operator - Wee Family Farm, LLC
Yamhill County, Oregon.

(541) 550-0569

On Thu, Feb 9, 2023 at 1:03 PM VALNESS Karla * ODA <Karla.VALNESS@oda.oregon.gov> wrote:

Hello Antonia,

Thank you for your email. Your request to provide verbal comments scheduled at 11:00 am on Wednesday, February 22 will be added to our list. The meeting link or call in number to join the meeting can be found on the meeting agenda at <https://odadirect/boardagriculture> under the February 2023 meeting information.

For your reference here are [Guidelines for Public Comments or Presentations](#) to the State Board of Agriculture that may be helpful for you as you prepare your comments.

Regarding the documents cited as reference in part 2(b), I believe you have found the appropriate 2011 legislation of SB960. I believe the reference date (2012) is incorrect, however I will confirm this information with our staff contact on Resolution 310 and get back to you if there is additional information from 2012.

~Karla

Karla Valness, Senior Policy Advisor
Oregon Department of Agriculture – Director's Office
635 Capitol St NE, Salem, OR 97301-2532
PH: 503.986.4554 | CELL: 503.720.6485 | WEB: Oregon.gov/ODA
Pronouns she, her, hers

ODA Customer Service Survey – Please share your feedback in just 2-3 minutes. <https://oda.fyi/ODAsurvey>

Encuesta sobre el servicio de atención al cliente de la ODA – Por favor, comparte su opinion en solo 2-3 minutos: <https://oda.fyi/SP-ODAsurvey>

From: Antonia Partridge <antoniapartridge@gmail.com>

Date: Thursday, February 9, 2023 at 10:26 AM

To: VALNESS Karla * ODA <Karla.VALNESS@oda.oregon.gov>

Subject: Question on Resolution 310

Hi Karla,

I am a small farmer in Yamhill County, Oregon interested in agritourism and resolution 310 that is open for comments now. I would like to provide public comment by phone.

I am available on both February 22 and February 23.

My name is Antonia P. Partridge.

The topic of my comment is siting of agritourism with a focus equitable application of regulation.

I will call from (541) 550-0569.

Please send me further information on what number and time I should call.

On a related note, the draft resolution in part 2(b) refers to "Similar to SB 960 (2012)".

I would like to review the relevant document, SB 960 and have not yet found a 2012 document.

I found the document in the link below from 2011

<https://olis.oregonlegislature.gov/liz/2011R1/Downloads/MeasureDocument/SB960/Enrolled>

If there is a more recent version, would you please send me a link to the referenced document from 2012?
Or please confirm if I have found the relevant version of SB 960.

Thank You,

Antonia 'Ann' Partridge

Subject: BOA Public Comment February 202

Date: Thursday, February 9, 2023 at 4:44:42 PM Pacific Standard Time

From: Scottie Jones

To: VALNESS Karla * ODA

CC: Antonia Partridge, ericarosethompson@gmail.com, kristybwebb@gmail.com, tollenfarm@msn.com, jennifer@mhralpacas.com, info@flyingbeeranch.net, Patrick Fay, amber@honeypaddlefarm.com, countylineflowers@gmail.com, tessastuedli@gmail.com, applecreekmerinos@gmail.com, winemarys@gmail.com

Willamette Valley Agritourism Network
Established 1/9/2023

February 7, 2023

Oregon Board of Agriculture
635 Capitol St NE
Salem, Oregon 97301

RE: Resolution 310

Dear Chair Boyer and Board Members,

Please let us introduce ourselves. We are a newly formed and diverse group of concerned farmers and ranchers who are currently operating or interested in adding on-farm direct marketing and agritourism to our agricultural businesses. We are frustrated at barriers that seem to cast us in an unfavorable light as the destroyers of farmland and farming culture when what we want most is to keep our farmland viable and productive for future generations, while allowing us a sustainable income to do so.

We do not support Resolution 310 as it stands. While we don't have problems with all the points, we do take exception with #2 which we consider outside the scope of the ODA Mission and Values. To be clear, among other things, #2 restricts the use of OUR land and activities so that we would only be allowed to conduct an agritourism activity if it is, "directly related to commercial farm use or processing activities occurring on the subject farm or ranch operation." We already have land-use rules in place that clearly define EFU land-use. We don't need additional regulations targeting specific industries.

What we would like to see from you, as per your Resolution 310 #5 (Urges the department to work with stakeholder groups to better define the circumstances when commercial activities are appropriate on agricultural lands...), is a seat at the table. We are a significant stakeholder group that to this point has not had a unified voice, or even a voice at all, as we tend to be smaller operations with limited time and budgets to hire lawyers or lobbyists. We are afraid you are only hearing one side of the story, thus decisions that impact our lives and our livelihoods are made without us.

What we offer: we would like to put in the effort to help negotiate definitions and compatible uses for agritourism in a way that moves us forward to 'yes', instead of holding us hostage to what we would like to do but can't because the rules are different depending on where you operate, what you do for farming, and how big you are. We feel that agritourism has enormous potential to enrich our communities and our state on both an economic and a cultural level, and we would like for our perspective to be an ongoing part of the decision-making process

Finally, as we respectfully request a seat at your table, we recognize it is only one table of many that will affect decisions around agritourism going forward; however, ODA has significant leverage on outcomes concerning the use of farm land and is, in our estimation, a first step.

We want to thank you for your time in reading our comments and considering our request. Please contact any of us directly.

Sincerely,

Scottie Jones
Leaping Lamb Farm

Jeremy Mitchell
Flying Bee Ranch

Patrick Fay
Hentze Family Farm

Laurel Stone
Apple Creek Merinos

Tessa Koch
TMK Creamery

Erica Thompson
Blueberry Meadows

Amber Jackson
Honey Paddle Farm

Ann Partridge
Wee Family Farm

Pamela Monnette
County Line Flowers

Tonie Tollen
Tollen Farm

Jennifer Cameron
Alpacas at Marquam Hill Ranch

Mary Schonheit
Territorial Farm

Kristy Webb
Buckland

(Members of Willamette Valley Agritourism Network)



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