

March 27, 2025

VIA ELECTRONIC MAIL: ASeifer@co.marion.or.us

Marion County Hearings Officer
c/o Alex Seifer
5155 Silverton Road NE
Salem, Oregon 97305

RE: Conditional Use Permit 24-043 (14398 Union School RD NE, Woodburn)
Our File No: 45249-00001

Dear Madam Hearings Officer:

Please accept this letter into the record for the above referenced appeal of the approval of a non-farm dwelling on the property certain 8.4 acres of property (the "**Property**") located along the 14400 block of Union School Road NE (the "**Application**") submitted by **MKI Construction LLC**, an Oregon limited liability company, and **Leo Needs Construction LLC**, an Oregon limited liability company (collectively the "**Applicant**"). The Application was designated by Marion County as Conditional Use Case No. 24-043 and was approved, subject to four (4) conditions, by the Planning Director on January 13, 2025 (the "**Decision**"). The Decision was subsequently appealed by the neighboring property owners, Bernhard and Patricia Hitz (collectively the "**Appellant**"), on January 27, 2025 (the "**Appeal**"). A hearing was held on Thursday March 6, 2025 (the "**Hearing**") and one of parties testifying in opposition requested to hold the record open. This letter is Applicant's response to the comments made both at the Hearing and as written testimony during the seven (7) day open record period (collectively, the "**Opposition Testimony**").

As stated by the Applicant at the Hearing, the Opposition Testimony does not address the applicable approval criteria nor have any of the parties opposing the Application or appealing the Decision provided evidence into the record that rebuts the evidence provided by the Applicant that it has satisfied the applicable approval criteria. The Opposition Testimony is focused on four areas, as set out below.

I. Questions Regarding the Validity of the Soil Assessment

Prior to submitting the Application, the Applicant had a Soil Assessment Review (the "**Assessment**") done on the Property which has been submitted as part of this response as **Exhibit 101**. The Soil Assessment Review process, as set out in OAR 660-033-0045, requires the a person seeking a soils assessment to contact a "professional soil classifier," from a list of qualified individuals identified by Department of Land Conservation and Development ("**DLCD**") and, once the soil assessment has been completed, the assessment must be submitted to DLCD for confirmation by DLCD that the soil assessment is "soundly and scientifically based" and that the assessment meets DLCD's reporting requirements. OAR 660-033-0045(1)-(4). The Applicant followed the regulatory requirements for obtaining a soil assessment, as shown by the Applicant's Soil Assessment Completeness Review which was submitted to the County as part of the Application.

The Applicant hired Gary A. Kitzrow, CPSC (Certified Professional Soil Classifier)/CPSS (Certified Professional Soil Scientist) (the "**Soil Classifier**") certified by the Soil Science Society of America, to complete an analysis of the Property's soils. This certification requires (1) a bachelors' degree is soil science

or a related field having at least 15.0 semester credits of soils specific coursework and 45.0 semester credits of supporting coursework; (2) five (5) years of post-baccalaureate experience or 3 years of experience post receipt of a Master's or PhD; (3) Credential forms approved by board of the Soil Science Society of America; and (4) passing a subject matter exam. <https://www.soils.org/certifications/become-certified?q=certifications/become-certified/>. The Soil Classifier's certifications are not the only items that establishes him as an expert in soils analysis and classification, he has also been identified by DLCD as a "professional soil classifier" and is included on the list that DLCD is required to maintain to provide the public with options for well qualified individuals to perform soil assessments. The fact that he was paid by the Applicant to provide his professional services does not indicate that he is biased.

The Assessment was based on ten (10)¹ excavations done using a backhoe and other field testing equipment. See **Exhibit 101** p. 2. The location of these soil samples is identified on a map that is included the Assessment and which shows that the samples were taken at multiple points on the property, in varying locations in order to determine the makeup of the entirety of the Property. *Id.* 22. The Assessment than provides an analysis of the soil typology as well as discussing the historic use of the Property, including expert testimony refuting the claims set forth in the Opposition Testimony. Specifically, in analyzing the aerial from 1970, the Soil Classifier notes that "The lower valued Steiwer Variant soils along with Terrace Escarpment units (and floodway) shows inferior crop growing conditions with stunted tree crops and areas of no crops within these soil units." *Id.* 37. The area that the Applicant is proposing for the construction of the dwelling is within the area mapped with these soils, and specifically in Steiwer Variant (SWB) portion of the Property where the aerial photographs depict "tonal pattern difference with tree drop-out and intrusion of unwanted bush species." *Id.* 38.

The Assessment establishes that the Applicant has followed the regulatory process for establishing that the Property is not classified with high-value farm soils, allowing it to submit an application for a non-farm dwelling. The Opposition Testimony has not provided evidence in the record beyond anecdotal statements that previous owners had various farm uses on the Property. The Soil Classifier addresses the historical use of the Property in the Assessment and refutes the Opposition Testimony regarding the viability of farming on the Property. The Soil Assessment process is established to ensure that a qualified professional is performing these types of assessments and, when weighing the evidence in the record, the Assessment, performed by a professional and reviewed for compliance with sound academic principles, should be given significantly more weight than memories of individuals in the vicinity that do not have firsthand knowledge of the viability of previous attempts at farming.

II. Exclusive Farm Use Zoning

Several comments within the Opposition Testimony seemed to focus on preventing the Applicant from changing the zoning on the Property. As the Applicant is not changing the zoning on the Property, but is applying for a conditional use permit, which will allow for a non-farm dwelling while maintaining the EFU zoning. As previously stated, the conditional use criteria presume some level of compatibility with the underlying zone, provided the proposed use can be developed in a way that does not adversely impact the surrounding properties. In this instance, the testimony provided by the opposition focused on the impact of the surrounding uses on the Property, namely, spray coming onto the Property from the adjacent farm use. As the Applicant provided at the Hearing, in association with this Application, the Applicant will sign a declaratory statement acknowledging that it is constructing a dwelling in the EFU and, therefore,

¹ The Applicant indicated that there were twelve (12) soil samples collected as part of the report. Upon further review, this was incorrect, the Soil Assessment identifies ten (10) testing locations.

that it understands the impact that the adjacent farm uses may have on the Property. Additionally, Oregon's right to farm laws are designed to protect farmers from liability associated with farming in the resource zones. However, in order to practically address this concern, the Applicant has already fenced the Property and will install vegetative screening to provide an additional buffer to the surrounding agricultural uses and the Applicant has proposed shifting the Property further from the neighboring agricultural uses to allow for a larger buffer.

No other specific concerns were raised with regards to the impact of the proposed dwelling beyond the philosophical position that all EFU property should be retained for farming, but the Applicant has provided evidence in the record that the noise and traffic associated with the dwelling will be well within the norm for the surrounding area. The Opposition Testimony points to the southwest corner of the Property as a preferable location for the dwelling, but the Applicant has already demonstrated through the Assessment that its proposed location is non on high-class soils and the Opposition Testimony has not provided any evidence demonstrating that this is inaccurate.

III. The Property Has Been Commercially Farmed in the Past

The Opposition Testimony contains several variations of a statement that the prior owners actively farmed the Property, producing hazelnuts, walnuts, pears, and other garden crops until they were unable to continue due to advancing age. We believe the owners these statements refer to owned and operated the property prior to 1998. The Assessment contains historic analysis of the Property from 1950 through the present and shows that as early as the 1980s the Property was showing significant tree drop out, well before the Applicant purchased the Property in 2018 and stopped actively farming the Property. *Id.* 36-41.

Additionally, the fact that the Property may have been previously used for farming is not an applicable approval criterion for this Application. The Assessment addresses the soil classification of the soils on the Property. Upon the determination that the soils are not high class soils, the Applicant is able to apply for a conditional use permit. Under the conditional use permit, the focus of the criteria is not what can or should happen on the Property, but rather, what impact the proposed conditional uses will have on the surrounding properties.

However, even if the Property could have been commercially farmed in the past, due to the substandard soils, it is unlikely that it would be commercially viable today due to its size and the substandard soils. Based on data from the United States Department of Agriculture (the "**USDA**"), small farms in Marion County face significant economic challenges. According to page 1 of the USDA's most recent *2022 Census of Agriculture, County Profile for Marion County, Oregon*, attached as **Exhibit 102**, there was a 10 percent decrease in the total number of farms in Marion County and a 5 percent decrease in the total farmed acreage in Marion County from 2017 to 2022.²

Reduced harvesting and increased expenses offer two reasons why Marion County small farms have become less economically viable over time. For example, Census data attached here as **Exhibit 103** shows Marion County small farms harvested 1,582 total acres in 2017 but harvested only 1,412 total acres

² *2022 Census of Agriculture, County Profile for Marion County, Oregon "Total and Per Farm Overview, 2022 and change since 2017"*

in 2022.³ This represents a 10.7 percent decrease in total acres harvested by Marion County small farms. Further data from the Census, attached here as **Exhibit 104**, shows that average yearly farm expenses for all Marion County farms rose from \$222,164 in 2017 to \$310,897 in 2022.⁴ This represents a 39.9 percent increase in average yearly farm expenses among all Marion County farms. Although yearly expenses for small farms are less on average than yearly expenses for large farms, Marion County small farms have nonetheless become burdened by rising expenses. This may be partially attributable to the inability of small farms in Marion County to benefit from economies of scale, unlike large farms in Marion County.

Lastly, consolidated production of pears and hazelnuts among Marion County farms suggests smaller Marion County farms producing these commodities have become less economically viable over time. The Census data attached here as **Exhibit 105** shows that in 2017, 42 Marion County farms dedicated 136 acres to pear production. However, by 2022, only 29 Marion County farms dedicated 129 acres to pear production.⁵ Although a roughly equivalent number of acres was devoted to pear production over the 5-year period (+/- 7 acres), there were 13 fewer Marion County farms producing pears overall. The same holds true for hazelnut production, with Census data attached here as **Exhibit 106** showing that in 2017, 359 Marion County farms dedicated 16,366 acres to the production of hazelnuts.⁶ However, by 2022, only 340 Marion County farms dedicated 19,870 acres to the production of hazelnuts. In this case, more acreage was devoted to hazelnut production (+3,504 acres), but there were 19 fewer Marion County farms producing hazelnuts over the 5-year period.

In light of other statistics presented on increased farm consolidation suggests the smaller Marion County farms may be exiting pear and hazelnut production, or they may be selling their acreage to larger farms. Coupled with statistics on reduced harvesting and increased expenses, data suggests Marion County small farms, including small farms producing pears and hazelnuts, are less economically viable than they were in the past. These trends may force Marion County small farms to cease production of pears and hazelnuts, or it may force Marion County small farms to sell their acreage to larger producers of these commodities. If trends remain the same as they did from 2017 to 2022, USDA Census data suggests Marion County small farms face significant economic challenges now and in the future.

Along these lines, testimony Provided by Patricia Hitz at the Hearing and by Mikel Hitz via written testimony state that the Property has been utilized for commercial farm uses in the past and that, because their adjacent family farm is productive, the Property should be able to be commercially farmed. As the Applicant has addressed the testimony regarding the soil analysis above, it will just briefly note that the Soil Analysis establishes that the soils on the Property have a distinct pattern due to the small acreage and the presence of the creek, which result in a soil typology that is inconsistent with adjacent farm use. Additionally, the Appellant purchased adjacent properties from the previous owner of the Property at the same time that the Property was listed for sale (as indicated by the Marion County Property Records), their failure to purchase the Property at that time, even though they owned two of the abutting properties, suggests that they did not think that the Property could be farmed as part of their farming operation.

³ Page 291, 2022 Census of Agriculture – County Data

⁴ Page 259, 2022 Census of Agriculture – County Data

⁵ Page 392, 2022 Census of Agriculture – County Data

⁶ Page 396, 2022 Census of Agriculture – County Data

IV. Development of the Proposed Dwelling

The Opposition Testimony also raised concerns about potential impacts of the proposed dwelling on the waterway that bisects the Property and the associated storm water displacement caused by additional impermeable surfaces. The Proposed Dwelling will be required to comply with Marion County's stormwater detention requirements, where applicable. There is adequate space onsite to address any displaced stormwater and Marion County's engineer will have the opportunity to review any proposed stormwater detention to ensure that it complies with the engineering standards. The Decision adequately conditions this requirement in the Conditions numbered #1, 4, and 6.

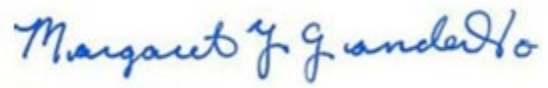
Moreover, the Opposition Testimony points to MCC 17.136.030, which is not the applicable approval criteria in this Application. Rather the Applicant is applying for a Conditional Use under MCC 17.136.060, which the Applicant has addressed in detail.

The only applicable impact that the Opposition Testimony seems to argue is the alleged change in the development pattern of the surrounding area. However, the surrounding area is already typified by what is a mixture of agricultural and rural residential uses and the Property is bordered on two sides by a large agricultural parcel where additional parcelization or development would not be permitted, and neighbored on the remaining side by a similarly sized rural residential parcel. The Opposition Testimony did not provide any evidence into the record addressing how the development of the proposed dwelling will allow for additional development in the surrounding area or how the Proposed Dwelling will result in negative impacts to the surrounding area that cannot be mitigated through reasonable conditions or the Applicant's proposed screening. Rather, the Opposition Testimony instead focuses on statewide policy and the preference to preserve farmland. As addressed above, the Applicant has provided sufficient evidence in the record to demonstrate that the Property does not contain the high class soils that the Statewide Planning Goal 3 seeks to preserve. While the EFU Zone seeks to effectuate the preservation of productive farmland, the conditional use process in MCC 17.136.060 provides a mechanism for the productive use of parcels when the soils on those parcels will not allow for farm use, as is the case here. As the Proposed Dwelling falls within a defined conditional use and the Applicant has demonstrated through sufficient evidence in the record that it satisfies the applicable approval criteria, the Proposed Development is consistent with both the County and the State's policy mandate to preserve productive farmland.

Conclusion:

The Applicant has demonstrated through substantial evidence in the record that the Application either satisfies the applicable approval criteria, or that reasonable conditions of approval allow the Application to comply with those criteria. The Applicant respectfully requests that the Hearings Officer approve the Application as modified in the Applicant's updated site plan, submitted as part of its appeal response.

Sincerely,

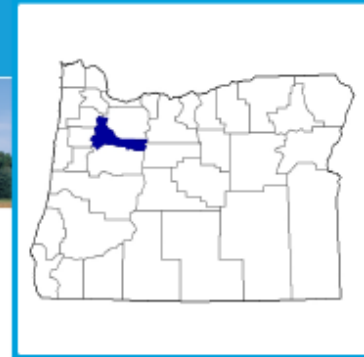
A handwritten signature in blue ink that reads "Margaret Y. Gander-Vo". The signature is written in a cursive style with a blue ink color.

MARGARET Y. GANDER-VO
margaret@sglaw.com
Voice Message #374

MYG:

EXHIBIT A

2022 CENSUS OF AGRICULTURE *County Profile*



Marion County Oregon

Total and Per Farm Overview, 2022 and change since 2017

	2022	% change since 2017
Number of farms	2,477	-10
Land in farms (acres)	275,483	-5
Average size of farm (acres)	111	+6
Total (\$)		
Market value of products sold	874,627,000	+25
Government payments	6,990,000	+250
Farm-related income	30,403,000	+6
Total farm production expenses	770,093,000	+26
Net cash farm income	141,927,000	+20
Per farm average (\$)		
Market value of products sold	353,100	+39
Government payments ^a	48,879	+309
Farm-related income ^a	38,878	+19
Total farm production expenses	310,897	+40
Net cash farm income	57,298	+33

13 Percent of state agriculture sales

Share of Sales by Type (%)

Crops	87
Livestock, poultry, and products	13

Land in Farms by Use (acres)

Cropland	222,351
Pastureland	15,477
Woodland	20,310
Other	17,345

Acres irrigated: 92,166

33% of land in farms

Land Use Practices (% of farms)

No till	8
Reduced till	7
Intensive till	18
Cover crop	9

Farms by Value of Sales

	Number	Percent of Total ^b
Less than \$2,500	859	35
\$2,500 to \$4,999	302	12
\$5,000 to \$9,999	272	11
\$10,000 to \$24,999	253	10
\$25,000 to \$49,999	151	6
\$50,000 to \$99,999	151	6
\$100,000 or more	489	20

Farms by Size

	Number	Percent of Total ^b
1 to 9 acres	930	38
10 to 49 acres	901	36
50 to 179 acres	319	13
180 to 499 acres	186	8
500 to 999 acres	81	3
1,000+ acres	60	2



United States Department of Agriculture
National Agricultural Statistics Service

www.nass.usda.gov/AgCensus

EXHIBIT B

Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2022 and 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item	Lincoln	Linn	Malheur	Marion	Morrow	Multnomah	Polk	Sherman
FARMS AND LAND IN FARMS								
Farms number, 2022	299	2,138	861	2,477	341	680	1,158	173
..... 2017	384	2,222	964	2,761	375	653	1,243	190
Land in farms acres, 2022	26,846	336,063	1,130,142	275,483	1,052,805	27,983	154,851	402,516
..... 2017	29,017	314,947	1,083,362	288,671	1,126,101	25,435	148,905	534,857
Average size of farm acres, 2022	90	157	1,313	111	3,087	41	134	2,327
..... 2017	76	142	1,134	105	3,003	39	120	2,762
Estimated market value of land and buildings farms, 2022	299	2,138	861	2,477	341	680	1,158	173
..... 2017	384	2,222	964	2,761	375	653	1,243	190
..... \$1,000, 2022	204,262	3,497,197	2,091,886	4,692,395	2,318,652	768,743	1,587,952	567,374
..... 2017	159,539	2,233,696	1,627,231	3,569,969	1,269,551	531,052	1,059,557	446,316
Average per farm dollars, 2022	693,152	1,635,733	2,429,500	1,894,386	6,799,565	1,130,504	1,371,288	3,279,620
..... 2017	415,466	1,005,264	1,687,999	1,292,988	3,385,469	813,249	852,419	2,349,030
Average per acre dollars, 2022	7,580	10,406	1,851	17,033	2,202	27,472	10,255	1,410
..... 2017	5,498	7,092	1,488	12,367	1,127	20,879	7,116	850
2022 farms by value group:								
\$1 to \$49,999	6	33	31	90	11	19	27	15
\$50,000 to \$99,999	10	48	27	38	4	21	14	7
\$100,000 to \$199,999	24	107	56	93	18	15	25	7
\$200,000 to \$499,999	97	466	260	427	85	91	319	24
\$500,000 to \$999,999	112	937	207	945	53	327	510	20
\$1,000,000 to \$1,999,999	33	273	81	414	23	124	139	24
\$2,000,000 to \$4,999,999	17	130	106	266	61	71	76	41
\$5,000,000 to \$9,999,999	-	81	68	113	25	5	19	26
\$10,000,000 or more	-	63	45	91	61	7	29	9
Approximate land area acres, 2022	627,452	1,463,727	6,328,090	755,555	1,299,540	275,917	474,191	527,113
Proportion in farms percent, 2022	4.3	23.0	17.9	36.5	81.0	10.1	32.7	76.4
2022 size of farm:								
1 to 9 acres farms	46	713	100	930	56	350	294	3
..... acres (D)		3,767	479	4,308	(D)	1,504	1,453	24
10 to 49 acres farms	129	798	239	901	55	233	489	19
..... acres	3,169	19,323	6,394	19,339	1,306	5,389	11,506	593
50 to 69 acres farms	32	112	39	122	2	27	96	5
..... acres	1,886	6,577	2,401	6,934	(D)	1,530	5,634	290
70 to 99 acres farms	26	99	51	73	4	31	65	4
..... acres	2,218	8,369	5,055	6,081	354	1,928	5,522	303
100 to 139 acres farms	18	66	51	84	6	18	47	3
..... acres	2,159	7,515	5,824	9,461	696	2,031	5,457	360
140 to 179 acres farms	11	44	53	40	10	5	34	7
..... acres	1,723	7,022	8,387	6,446	1,552	772	5,400	1,089
180 to 219 acres farms	7	52	24	45	3	5	27	3
..... acres	1,407	10,147	4,760	9,367	1,854	971	5,322	598
220 to 259 acres farms	7	35	13	21	5	4	11	3
..... acres	1,644	8,292	3,076	5,040	1,167	950	2,677	735
260 to 499 acres farms	12	82	71	119	27	6	36	9
..... acres	4,448	28,496	25,822	42,344	9,734	2,090	11,988	3,487
500 to 999 acres farms	9	54	61	81	24	6	31	28
..... acres	6,062	38,264	43,108	55,789	17,573	4,934	23,068	19,051
1,000 to 1,999 acres farms	2	49	43	41	33	4	13	27
..... acres (D)		64,939	60,117	56,501	44,522	5,884	16,597	43,428
2,000 acres or more farms	-	34	106	19	110	-	15	62
..... acres	-	133,352	964,719	53,873	973,570	-	60,227	332,557
2017 size of farm:								
1 to 9 acres farms	82	748	124	1,148	52	396	319	5
..... acres (D)		4,095	537	5,408	(D)	1,804	1,516	(D)
10 to 49 acres farms	173	835	201	945	63	187	517	9
..... acres	4,036	18,960	5,522	20,759	1,515	4,368	12,108	5
50 to 69 acres farms	34	109	51	112	5	12	96	3
..... acres	1,963	6,257	3,145	6,508	314	668	5,563	(D)
70 to 99 acres farms	25	118	93	105	8	16	82	3
..... acres	2,133	9,577	7,535	8,402	690	1,325	6,774	(D)
100 to 139 acres farms	17	80	59	85	13	11	57	5
..... acres	2,071	9,014	7,077	9,743	1,460	1,299	6,578	566
140 to 179 acres farms	10	61	64	51	10	9	27	10
..... acres	1,582	9,633	9,929	7,984	1,479	1,383	4,204	1,576
180 to 219 acres farms	10	32	21	33	3	6	22	6
..... acres	1,992	6,408	4,103	6,571	606	1,180	4,344	1,217
220 to 259 acres farms	5	26	25	27	1	1	27	-
..... acres	1,191	6,185	5,873	6,449	(D)	(D)	6,333	-
260 to 499 acres farms	17	90	77	109	21	3	44	14
..... acres	5,736	30,822	28,393	39,099	7,973	1,031	14,453	5,185
500 to 999 acres farms	10	55	81	84	39	8	22	16
..... acres	6,852	37,933	55,953	55,572	28,415	5,895	15,458	11,639
1,000 to 1,999 acres farms	1	43	60	42	30	2	16	33
..... acres (D)		57,178	83,919	58,256	44,317	(D)	19,706	49,621
2,000 acres or more farms	-	25	108	20	130	2	14	86
..... acres	-	118,885	881,376	63,920	1,038,845	(D)	51,868	454,371
LAND IN FARMS ACCORDING TO USE								
Total cropland farms, 2022	175	1,391	697	1,806	230	545	872	158
..... 2017	194	1,405	726	1,898	257	512	882	171
..... acres, 2022	3,498	250,309	189,847	222,351	499,002	18,543	117,938	257,887
..... 2017	3,639	242,627	210,779	237,434	511,874	15,623	107,580	340,948
Harvested cropland farms, 2022	148	1,251	625	1,663	153	482	754	97
..... 2017	186	1,244	694	1,718	182	481	777	124
..... acres, 2022	2,410	215,273	140,901	190,365	240,349	13,389	95,267	102,408
..... 2017	2,818	186,015	179,008	197,080	275,833	11,747	87,078	137,438

--continued

EXHIBIT C

Table 9. Harvested Cropland by Size of Farm and Acres Harvested: 2022 and 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item	Lincoln	Linn	Maiheur	Marion	Morrow	Multnomah	Polk	Sherman
Farms number, 2022	148	1,251	625	1,663	153	482	754	97
..... 2017	186	1,344	694	1,718	182	481	777	124
..... acres harvested, 2022	2,410	215,273	140,901	190,365	240,349	13,389	95,267	102,408
..... 2017	2,818	186,015	179,008	197,080	275,833	11,747	87,076	137,438
HARVESTED CROPLAND BY SIZE OF FARM								
2022 size of farm:								
1 to 9 acres farms	34	334	37	509	5	244	163	-
..... acres harvested	69	1,086	159	1,412	(D)	605	514	-
10 to 49 acres farms	59	432	146	582	20	157	302	4
..... acres harvested	432	5,712	2,263	7,732	225	1,665	3,503	12
50 to 69 acres farms	11	69	36	100	-	22	62	1
..... acres harvested	107	2,269	1,412	3,240	-	299	1,368	(D)
70 to 99 acres farms	11	73	58	61	2	16	47	3
..... acres harvested	165	2,521	2,717	2,895	(D)	798	1,510	(D)
100 to 139 acres farms	9	52	43	72	-	17	35	-
..... acres harvested	276	2,472	3,014	5,464	6	1,055	2,137	4
140 to 179 acres farms	7	37	40	34	5	4	29	-
..... acres harvested	236	3,256	3,025	4,302	422	261	1,989	617
180 to 219 acres farms	1	38	20	41	3	3	23	-
..... acres harvested	(D)	4,380	2,652	6,441	134	122	3,154	-
220 to 259 acres farms	5	30	13	17	1	4	10	-
..... acres harvested	672	3,074	2,033	3,271	(D)	777	1,178	-
260 to 499 acres farms	8	63	62	106	7	6	33	4
..... acres harvested	(D)	12,040	14,183	26,736	841	620	7,273	652
500 to 999 acres farms	3	49	48	81	9	5	32	14
..... acres harvested	145	27,563	20,530	46,134	3,449	2,265	10,883	3,597
1,000 to 1,999 acres farms	-	45	34	41	19	4	13	13
..... acres harvested	-	49,261	26,835	46,464	17,462	4,920	13,270	8,147
2,000 acres or more farms	-	29	88	19	81	-	15	54
..... acres harvested	-	101,639	62,048	36,214	217,742	-	48,482	89,293
2017 size of farm:								
1 to 9 acres farms	41	334	40	534	8	286	163	2
..... acres harvested	134	1,139	154	1,582	(D)	653	585	(D)
10 to 49 acres farms	76	444	120	608	24	139	306	2
..... acres harvested	570	5,533	2,170	8,710	238	1,482	3,412	(D)
50 to 69 acres farms	14	69	32	90	4	7	62	-
..... acres harvested	(D)	2,205	954	2,673	108	195	1,511	-
70 to 99 acres farms	13	85	82	80	-	14	60	3
..... acres harvested	146	3,194	3,695	4,488	-	512	1,974	14
100 to 139 acres farms	11	52	53	65	3	7	53	2
..... acres harvested	335	2,033	3,485	3,908	162	741	2,995	(D)
140 to 179 acres farms	10	46	38	45	1	9	21	5
..... acres harvested	359	3,637	3,349	4,512	(D)	727	1,689	283
180 to 219 acres farms	6	19	16	31	3	3	15	2
..... acres harvested	340	1,993	1,984	4,862	416	(D)	1,645	(D)
220 to 259 acres farms	3	23	25	19	-	1	19	-
..... acres harvested	(D)	2,886	3,701	3,420	7	(D)	1,747	9
260 to 499 acres farms	5	72	71	104	3	3	28	6
..... acres harvested	245	14,903	19,305	28,813	521	470	4,553	2,140
500 to 999 acres farms	7	49	74	80	10	8	20	8
..... acres harvested	371	26,898	33,546	40,815	4,365	3,022	9,782	2,873
1,000 to 1,999 acres farms	-	39	51	42	15	2	16	18
..... acres harvested	-	44,394	32,847	46,775	10,501	(D)	14,901	10,641
2,000 acres or more farms	-	22	92	20	107	2	14	73
..... acres harvested	-	77,200	73,816	46,522	259,478	(D)	42,274	121,076
HARVESTED CROPLAND BY ACRES HARVESTED								
2022 acres harvested:								
1 to 9 acres farms	88	536	86	780	16	359	330	5
..... acres	(D)	2,065	414	2,717	64	1,035	1,231	(D)
10 to 19 acres farms	21	215	78	232	13	37	138	-
..... acres	254	2,777	1,021	3,103	195	488	1,813	-
20 to 29 acres farms	15	76	43	107	7	19	76	5
..... acres	345	1,686	1,004	2,462	145	442	1,741	121
30 to 49 acres farms	10	116	68	106	8	33	44	1
..... acres	355	4,173	2,460	4,092	297	1,183	1,661	(D)
50 to 99 acres farms	10	90	111	96	12	12	52	2
..... acres	604	5,743	7,732	6,394	960	951	3,489	(D)
100 to 199 acres farms	3	53	68	106	9	9	40	15
..... acres	374	7,960	10,158	14,562	1,326	1,017	5,318	2,153
200 to 499 acres farms	1	68	96	123	12	7	36	18
..... acres	(D)	20,716	30,804	36,865	3,668	1,775	10,490	5,818
500 to 999 acres farms	-	36	46	71	22	3	17	11
..... acres	-	27,213	32,468	49,325	16,718	2,119	12,124	8,588
1,000 acres or more farms	-	61	29	42	54	3	21	40
..... acres	-	143,340	54,840	70,845	217,015	4,379	57,400	85,507
2017 acres harvested:								
1 to 9 acres farms	116	548	90	797	26	373	345	9
..... acres	377	2,233	455	2,934	113	981	1,454	38
10 to 19 acres farms	31	213	59	257	10	33	138	1
..... acres	409	2,742	812	3,339	132	(D)	1,857	(D)
20 to 29 acres farms	8	90	36	102	6	22	66	-
..... acres	183	1,998	874	2,330	151	526	1,531	-
30 to 49 acres farms	10	102	81	128	9	18	71	1
..... acres	370	3,725	2,991	4,824	324	698	2,574	(D)
50 to 99 acres farms	18	89	111	110	6	11	62	11
..... acres	1,051	5,946	7,625	7,554	376	1,145	4,545	886
100 to 199 acres farms	3	56	93	94	14	9	34	7
..... acres	428	7,873	13,312	13,906	2,019	1,132	4,652	1,131
200 to 499 acres farms	-	56	128	131	13	6	24	17
..... acres	-	17,894	42,135	42,496	4,216	2,020	7,872	6,034
500 to 999 acres farms	-	40	57	53	22	4	16	28
..... acres	-	29,189	37,953	38,637	17,258	3,000	12,124	21,868
1,000 acres or more farms	-	50	39	46	76	1	21	50
..... acres	-	114,415	72,651	81,090	251,244	(D)	50,469	107,438

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EXHIBIT D

Table 3. Farm Production Expenses: 2022 and 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Item		Lincoln	Linn	Malheur	Marion	Morrow	Multnomah	Polk	Sherman
Total farm production expenses	farms, 2022	299	2,138	861	2,477	341	680	1,158	173
	2017	384	2,222	964	2,761	375	653	1,243	190
	\$1,000, 2022	9,377	341,426	439,443	770,093	809,981	76,490	227,261	47,453
	2017	7,460	232,967	314,088	613,394	539,354	56,975	118,231	29,511
Average per farm	dollars, 2022	31,362	159,694	510,387	310,897	2,375,310	112,485	196,253	274,297
	2017	19,426	104,846	325,817	222,164	1,438,278	87,250	95,118	155,320
Fertilizer, lime, and soil conditioners purchased	farms, 2022	75	1,087	391	1,466	162	312	554	98
	2017	125	1,119	484	1,544	190	359	620	121
	\$1,000, 2022	113	37,537	27,318	54,690	56,440	5,451	16,134	9,422
	2017	97	23,043	23,375	42,668	26,849	3,005	8,550	3,461
Chemicals purchased	farms, 2022	85	978	463	1,517	160	318	557	108
	2017	112	1,008	521	1,583	216	228	618	130
	\$1,000, 2022	106	24,895	15,015	47,702	39,833	3,620	15,066	6,899
	2017	55	14,086	15,101	37,110	22,492	2,027	8,177	4,549
Seeds, plants, vines, and trees purchased	farms, 2022	74	638	336	994	134	331	441	93
	2017	76	607	377	903	145	297	374	118
	\$1,000, 2022	(D)	15,299	12,949	45,050	28,170	11,553	10,019	3,712
	2017	57	9,869	13,328	34,552	22,796	7,578	5,428	2,396
Cover crop seed purchased	farms, 2022	6	54	28	112	8	77	88	2
	2017	13	49	31	136	6	119	64	3
	\$1,000, 2022	1	30	170	254	160	52	104	(D)
	2017	1	70	113	166	61	25	64	(D)
Livestock and poultry purchased or leased	farms, 2022	83	593	259	538	94	145	304	11
	2017	110	710	284	810	124	130	308	24
	\$1,000, 2022	(D)	14,122	109,281	5,687	(D)	339	2,306	257
	2017	232	7,656	68,799	3,450	(D)	202	1,093	231
Breeding livestock purchased or leased	farms, 2022	42	214	176	184	45	41	131	9
	2017	48	317	199	354	72	39	118	21
	\$1,000, 2022	207	2,747	6,639	1,669	536	137	744	253
	2017	81	1,735	5,526	1,325	1,760	66	499	195
Other livestock and poultry purchased or leased	farms, 2022	61	459	124	432	62	108	211	4
	2017	85	495	150	564	66	99	243	5
	\$1,000, 2022	(D)	11,376	102,642	4,018	(D)	202	1,563	4
	2017	151	5,920	63,273	2,126	(D)	135	583	36
Feed purchased	farms, 2022	213	1,401	568	1,203	192	313	611	43
	2017	305	1,556	624	1,538	221	329	695	57
	\$1,000, 2022	1,126	28,989	96,539	54,104	234,284	1,519	23,970	754
	2017	763	22,326	43,408	40,748	178,239	1,523	14,092	840
Gasoline, fuels, and oils purchased	farms, 2022	278	2,071	844	2,363	310	660	1,111	141
	2017	356	2,115	938	2,517	360	615	1,195	180
	\$1,000, 2022	509	16,747	16,481	31,819	17,641	3,583	8,483	3,766
	2017	434	11,514	14,495	21,026	9,125	2,002	4,588	2,133
Utilities	farms, 2022	162	1,326	711	1,608	266	434	691	115
	2017	196	1,285	817	1,798	289	402	798	146
	\$1,000, 2022	353	8,347	12,078	22,772	17,731	3,238	5,446	1,169
	2017	400	5,602	11,353	17,096	17,972	2,732	3,183	753
Repairs, supplies, and maintenance costs	farms, 2022	233	1,784	753	1,952	285	561	966	127
	2017	252	1,734	867	2,233	328	528	1,002	144
	\$1,000, 2022	1,059	24,869	22,488	60,618	31,368	5,098	14,814	4,449
	2017	1,242	21,407	23,150	45,657	22,389	4,086	8,149	3,519
Hired farm labor	farms, 2022	49	506	236	771	121	187	295	51
	2017	90	573	364	864	138	213	352	81
	\$1,000, 2022	2,279	73,618	44,623	223,139	69,745	24,908	44,257	3,979
	2017	1,913	50,486	32,353	196,548	48,557	21,420	20,360	2,208
Contract labor	farms, 2022	29	223	124	542	61	118	219	23
	2017	17	213	156	411	38	86	218	20
	\$1,000, 2022	247	15,015	8,709	59,117	28,008	2,822	24,375	714
	2017	108	7,378	7,279	29,188	11,858	601	10,709	291
Customwork and custom hauling	farms, 2022	34	396	311	484	97	75	202	45
	2017	33	375	386	530	80	76	205	56
	\$1,000, 2022	(D)	5,308	8,135	18,979	11,775	649	5,330	1,603
	2017	31	4,442	6,745	5,971	16,768	435	2,271	1,176
Cash rent for land, buildings, and grazing fees	farms, 2022	23	358	292	501	90	109	158	26
	2017	30	393	324	504	91	113	159	30
	\$1,000, 2022	101	24,800	21,110	47,957	53,215	2,797	14,919	4,465
	2017	193	15,983	16,561	34,540	26,362	2,876	9,585	977
Rent and lease expenses for machinery, equipment, and farm share of vehicles	farms, 2022	9	179	67	275	35	51	70	18
	2017	23	153	125	280	40	36	92	39
	\$1,000, 2022	54	3,559	2,728	7,713	(D)	254	2,685	491
	2017	13	2,186	3,625	5,609	3,173	178	1,221	328
Interest expense	farms, 2022	55	597	389	658	130	135	297	54
	2017	80	537	467	790	152	150	333	73
	\$1,000, 2022	506	14,185	11,384	19,856	9,736	1,661	7,652	1,411
	2017	659	10,426	12,806	20,948	8,773	1,829	5,721	1,196
Secured by real estate	farms, 2022	33	459	281	477	91	85	233	36
	2017	66	440	383	627	105	117	264	37
	\$1,000, 2022	273	10,661	7,684	13,180	2,905	1,108	6,438	784
	2017	502	7,731	9,336	15,843	2,960	1,452	4,686	732
Not secured by real estate	farms, 2022	35	325	256	409	74	73	145	26
	2017	33	267	300	417	93	69	178	56
	\$1,000, 2022	232	3,525	3,700	6,676	6,831	553	1,214	628
	2017	157	2,695	3,470	5,105	5,813	377	1,035	464
Property taxes paid	farms, 2022	285	2,005	810	2,303	318	634	1,075	164
	2017	377	2,045	906	2,608	342	595	1,181	167
	\$1,000, 2022	976	11,901	5,112	16,814	8,878	3,726	6,025	1,124
	2017	915	7,355	6,918	12,433	6,196	3,027	4,327	1,897

See footnote(s) at end of table.

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EXHIBIT E

Table 31. Fruits and Nuts: 2022 and 2017 (continued)

[For meaning of abbreviations and symbols, see Introductory text.]

Geographic area	2022						2017					
	Total		Bearing age acres		Nonbearing age acres		Total		Bearing age acres		Nonbearing age acres	
	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres
PEARS, ALL - Con.												
Counties - Con.												
Columbia	10	(D)	8	4	3	(D)	36	11	31	10	6	1
Cook	4	-	4	(D)	1	(D)	8	(D)	3	(D)	6	(D)
Crook	-	-	-	-	-	-	5	(D)	5	(D)	-	-
Curry	8	3	8	3	3	(Z)	5	3	4	(D)	3	(D)
Deschutes	9	6	5	(D)	4	(D)	7	(D)	7	(D)	-	-
Douglas	28	16	20	14	9	2	41	22	35	17	13	5
Gilliam	-	-	-	-	-	-	2	(D)	2	(D)	-	-
Grant	5	1	4	(D)	2	(D)	6	(D)	2	(D)	4	(D)
Hood River	166	10,545	160	10,025	71	619	202	12,122	202	11,461	73	661
Jackson	64	3,678	47	3,537	34	141	60	3,618	50	(D)	15	(D)
Josephine	11	5	11	(D)	1	(D)	38	11	32	10	13	2
Lake	-	-	-	-	-	-	1	(D)	1	(D)	-	-
Lane	69	34	46	21	29	12	100	61	69	38	40	23
Lincoln	7	1	5	(D)	2	(D)	10	4	7	(D)	3	(D)
Linn	34	60	23	49	22	11	40	48	31	46	12	3
Malheur	1	1	1	(D)	-	-	-	-	-	-	-	-
Marion	29	129	26	(D)	3	(D)	42	136	41	(D)	8	(D)
Morrow	3	11	3	8	3	2	2	(D)	1	(D)	2	(D)
Multnomah	23	10	19	9	4	1	45	13	34	12	13	2
Polk	27	18	20	14	12	3	33	18	30	16	6	2
Tillamook	2	(D)	2	(D)	-	-	-	-	-	-	-	-
Umatilla	6	(D)	4	(D)	3	(D)	12	(D)	12	(D)	1	(D)
Union	3	(D)	1	(D)	5	(D)	11	(D)	9	(D)	2	(D)
Wallowa	2	(D)	1	(D)	1	(D)	3	(D)	2	(D)	1	(D)
Wasco	7	706	6	621	5	66	11	243	10	176	8	67
Washington	51	34	44	18	15	6	66	29	60	34	15	5
Wheeler	5	(D)	5	(D)	4	1	4	(D)	2	(D)	2	(D)
Yamhill	50	16	42	15	11	2	40	26	26	16	16	10
PEARS, BARTLETT												
State Total												
Oregon	490	4,298	400	3,991	160	307	608	3,786	525	3,405	165	381
Counties												
Baker	4	2	3	(D)	1	(D)	3	2	3	2	-	-
Benton	33	7	22	5	12	2	27	11	14	8	20	2
Clackamas	30	4	20	3	11	1	45	40	39	38	12	2
Catsop	5	(D)	4	(D)	1	(D)	3	(D)	2	(D)	-	-
Columbia	8	(D)	6	(D)	3	(Z)	24	4	22	(D)	2	(D)
Cook	1	(D)	1	(D)	-	-	3	(D)	3	(D)	-	-
Crook	-	-	-	-	-	-	1	(D)	1	(D)	-	-
Curry	1	(D)	1	(D)	-	-	1	(D)	-	-	1	(D)
Deschutes	5	(D)	5	(D)	-	-	4	(D)	4	(D)	-	-
Douglas	19	11	17	(D)	2	(D)	19	9	16	9	3	1
Gilliam	-	-	-	-	-	-	2	(D)	2	(D)	-	-
Grant	6	1	4	(D)	2	(D)	3	(D)	1	(D)	2	(D)
Hood River	140	3,340	136	3,161	45	179	172	3,027	170	2,730	46	297
Jackson	47	(D)	33	(D)	21	34	44	342	40	(D)	8	(D)
Josephine	4	1	4	(D)	1	(D)	22	5	21	(D)	1	(D)
Lake	-	-	-	-	-	-	1	(D)	1	(D)	-	-
Lane	34	13	26	11	10	2	58	24	38	17	23	8
Lincoln	4	(D)	4	(D)	1	(D)	7	(D)	5	(D)	-	(D)
Linn	22	49	14	45	11	4	19	23	16	22	5	2
Marion	17	67	15	(D)	2	(D)	30	78	28	77	7	1
Morrow	3	2	-	-	3	2	1	(D)	1	(D)	1	(D)
Multnomah	19	4	15	3	4	1	20	5	18	(D)	2	(D)
Polk	15	7	13	4	5	3	14	6	11	(D)	3	(D)
Tillamook	2	(D)	2	(D)	-	-	-	-	-	-	-	-
Umatilla	6	(D)	4	(D)	3	(D)	12	16	12	(D)	1	(D)
Union	1	(D)	1	(D)	1	(D)	8	(D)	6	(D)	2	(D)
Wallowa	2	(D)	1	(D)	1	(D)	1	(D)	1	(D)	-	-
Wasco	6	254	6	189	5	65	9	138	8	52	6	46
Washington	22	12	16	8	9	4	31	15	27	13	17	1
Wheeler	-	-	-	-	-	-	2	(D)	-	-	2	(D)
Yamhill	34	8	28	7	7	1	25	17	17	13	9	4
PEARS, OTHER THAN BARTLETT												
State Total												
Oregon	563	11,287	445	10,669	229	618	732	12,987	607	12,297	235	690
Counties												
Baker	4	4	4	4	-	-	5	2	4	(D)	1	(D)
Benton	35	8	25	5	13	3	33	15	28	14	5	2
Clackamas	47	10	13	4	34	1	55	13	40	9	18	5
Catsop	2	(D)	-	-	2	(D)	1	(D)	-	-	1	(D)
Columbia	7	3	7	(D)	1	(D)	25	8	21	(D)	4	(D)
Cook	4	(D)	3	1	1	(D)	8	(D)	2	(D)	6	(D)
Crook	-	-	-	-	-	-	5	1	5	1	-	-
Curry	8	(D)	8	(D)	3	(Z)	5	(D)	4	(D)	3	(D)
Deschutes	9	(D)	5	(D)	4	(D)	6	1	6	1	-	-
Douglas	25	5	17	(D)	9	(D)	32	13	24	9	11	5
Grant	-	-	-	-	-	-	4	(D)	2	(D)	2	(D)
Hood River	159	7,305	153	6,865	62	440	191	9,095	191	8,732	65	363
Jackson	43	(D)	36	(D)	20	107	47	3,476	39	(D)	12	(D)

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EXHIBIT F

Table 31. Fruits and Nuts: 2022 and 2017 (continued)

[For meaning of abbreviations and symbols, see introductory text.]

Geographic area	2022						2017					
	Total		Bearing age acres		Nonbearing age acres		Total		Bearing age acres		Nonbearing age acres	
	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres	Farms	Acres
ALMONDS - Con.												
Counties - Con.												
Union	2	(D)	2	(D)	-	-	-	-	-	-	-	-
Washington	-	-	-	-	-	-	1	(D)	1	(D)	-	-
Yamhill	-	-	-	-	-	-	3	(D)	1	(D)	2	(D)
CHESTNUTS												
State Total												
Oregon	67	233	53	177	26	57	48	202	41	140	14	62
Counties												
Benton	4	27	4	(D)	4	(D)	3	7	3	7	-	-
Clackamas	6	43	4	(D)	2	(D)	3	(D)	3	(D)	-	-
Columbia	-	-	-	-	-	-	1	(D)	-	-	-	-
Coos	2	(D)	2	(D)	1	(D)	-	-	-	-	-	-
Curry	-	-	-	-	-	-	1	(D)	-	-	1	(D)
Douglas	2	(D)	2	(D)	1	(D)	1	(D)	-	-	1	(D)
Hood River	2	(D)	2	(D)	-	-	3	(D)	-	-	3	(D)
Jackson	2	(D)	2	(D)	1	(D)	1	(D)	-	-	1	(D)
Lane	12	57	9	55	5	2	7	29	7	29	3	(D)
Linn	5	28	5	(D)	1	(D)	4	31	4	31	2	(D)
Marion	4	15	4	15	-	-	5	27	5	(D)	1	(D)
Multnomah	7	14	7	14	-	-	8	10	-	-	1	(D)
Polk	4	15	3	(D)	1	(D)	3	6	3	6	-	-
Tillamook	3	(D)	2	(D)	1	(D)	-	-	-	-	1	(D)
Washington	8	7	6	2	4	4	5	(D)	5	(D)	1	(D)
Yamhill	6	7	1	(D)	5	(D)	3	(D)	3	(D)	-	-
HAZELNUTS (FILBERTS)												
State Total												
Oregon	1,364	87,128	1,180	69,213	599	17,915	1,331	68,378	988	43,180	765	25,198
Counties												
Baker	3	(Z)	3	(Z)	-	-	3	(D)	3	(D)	1	(D)
Benton	70	10,875	48	8,933	45	1,942	56	3,551	39	1,482	35	2,070
Clackamas	167	8,759	147	6,642	79	2,128	151	6,216	110	4,490	90	1,726
Clatsop	2	(D)	1	(D)	1	(D)	1	(D)	-	-	1	(D)
Columbia	1	(D)	1	(D)	-	-	7	(D)	7	(D)	-	-
Curry	-	-	-	-	-	-	1	(D)	-	-	1	(D)
Douglas	33	439	25	322	17	117	31	286	17	(D)	26	(D)
Hood River	-	-	-	-	-	-	2	(D)	-	-	2	(D)
Jackson	14	13	8	(D)	8	(D)	2	(D)	2	(D)	-	-
Jefferson	1	(D)	1	(D)	1	(D)	2	(D)	1	(D)	1	(D)
Josephine	3	(D)	3	(D)	-	-	12	(D)	12	(D)	1	(D)
Klamath	-	-	-	-	-	-	1	(D)	-	-	1	(D)
Lane	158	3,964	143	3,052	49	912	139	3,824	110	2,878	54	947
Lincoln	2	(D)	-	-	2	(D)	-	-	-	-	-	-
Linn	167	10,915	144	(D)	86	(D)	124	7,972	80	3,919	97	4,053
Marion	340	19,870	322	16,067	126	3,804	359	16,366	279	10,415	213	5,950
Multnomah	3	3	3	(D)	3	(D)	15	87	2	(D)	13	(D)
Polk	61	5,368	50	(D)	27	(D)	51	9,579	41	6,652	33	2,527
Tillamook	3	(D)	2	(D)	1	(D)	-	-	-	-	-	-
Umatilla	2	(D)	-	-	2	(D)	1	(D)	-	-	1	(D)
Union	2	(D)	2	(D)	-	-	4	2	4	2	-	-
Wasco	-	-	-	-	-	-	2	(D)	2	(D)	-	-
Washington	157	8,903	125	7,340	78	1,584	164	5,715	124	4,349	88	1,367
Yamhill	175	17,938	152	14,272	74	3,666	203	14,710	156	(D)	107	(D)
PECANS, ALL												
State Total												
Oregon	-	-	-	-	-	-	2	(D)	-	-	2	(D)
Counties												
Curry	-	-	-	-	-	-	1	(D)	-	-	1	(D)
Lane	-	-	-	-	-	-	1	(D)	-	-	1	(D)
PECANS, IMPROVED												
State Total												
Oregon	-	-	-	-	-	-	2	(D)	-	-	2	(D)
Counties												
Curry	-	-	-	-	-	-	1	(D)	-	-	1	(D)
Lane	-	-	-	-	-	-	1	(D)	-	-	1	(D)
WALNUTS, ENGLISH												
State Total												
Oregon	242	1,317	196	1,241	64	76	305	884	255	828	69	55

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