September 2, 2026

RE: Support for Scott and Stacy Reed – Code Case CCPR1-2025-0003

Dear Hearings Officer,

On behalf of the Multnomah County Farm Bureau and our member farmers, we write to express our serious concern regarding the code enforcement action brought by Multnomah County against Scott Reed and his farm and forest operation.

Mr. Reed is being cited for routine farm practices: maintaining existing farm roads, graveling a working livestock corral, clearing culverts, and repairing field drainage tiles. To support these violations, the County relies almost entirely on Google Earth aerial imagery without ever visiting the property to take measurements or truly understand the operation. The County now seeks hundreds of dollars a day in fines for basic farm practices in a farm zone, without providing clear or accurate measurements, preventing Mr. Reed from understanding how to even resolve the alleged issues.

While we support reasonable land use oversight, we are deeply concerned that routine, accepted agricultural practices are being penalized by local rules that disregard everyday farm realities. We submit this letter to provide essential context regarding the activities on Mr. Reed's farm.

Farmers constantly need to move, remove, and add materials: clearing drainage ditches, maintaining culverts, repairing drain tiles, patching winter ruts with crushed rock, leveling off low spots, and graveling high-traffic areas to keep livestock out of standing mud. Farms also routinely bring in a wide array off-site materials – such as soil, compost, rock, mulch, wood chips, and federally supported amendments like biochar – to build productivity and sustainability. Farmers also need areas to maintain and store these inputs until they are ready to be used. Stockpiling or using these materials should not be considered fill activity that requires land use approval.

The creation and maintenance of farm roads is indispensable to commercial agriculture. Working farms depend on an interconnected network of internal access corridors to transport livestock, haul harvested crops, stage heavy machinery, and facilitate rapid emergency access across acreage. When these internal routes fall into disrepair, the entire operational flow breaks down. Farm equipment gets bogged down in heavy mud, planting and harvest schedules are missed, operational costs spike, and emergency vehicles or animal care providers cannot reach remote pastures.

For livestock operations such as Mr. Reed's, surfacing heavy-use roads, paddocks, and corrals with gravel or other durable materials is standard under state animal health and water quality rules to prevent disease and keep nutrient-laden runoff out of surface water and groundwater. Agricultural agencies strongly encourage these practices. For example, USDA NRCS guidance expressly provides:

> *If you have an area on your farm where heavy trucks make frequent visits, or areas that need to be scraped to remove manure or other materials, paving may be the best solution. Materials such as concrete, asphalt, soil cement, fly ash and paving blocks can be used for paving.*

U.S. Dep't of Agric., Nat. Res. Conservation Serv., *Small Scale Solutions for Your Farm: Heavy Use Area Protection* (FY 2022), https://www.nrcs.usda.gov/sites/default/files/2023-01/heavy-use-area-protection-small-scale-solutions-fy22.pdf.

Treating these recognized farm practices as "fill" or "development" that requires one of several complicated and expensive permits to obtain creates an impossible Catch-22: state and federal guidelines require farmers to stabilize roads and corrals to protect water quality and animal welfare, yet the County penalizes that exact stewardship. Oregon's Exclusive Farm Use zoning and Right to Farm laws were created precisely to prevent this type of conflict.

We respectfully ask that the Hearings Officer and the County keep this in mind when rendering a decision in this case. If a farmer is supposed to keep track of every time they move dirt, or obtain county land use approval to conduct these farm practices, farmers will spend most of their day record keeping and getting permits, instead of growing the food and fiber Oregonians depend upon.

We also urge the Hearings Officer to look closely at the County's evidence. A Google Earth image is a flat snapshot in time without depth, operational context, or scale. Relying on aerial photos instead of an on-site visit easily leads to mistaking standard farm maintenance for illegal development, setting a dangerous precedent for all working lands in the county.

If the County intends to penalize farmers for routine practices, it must physically inspect the property (with owner consent or a lawful warrant) to take real measurements, establish baseline conditions, and understand the work's agricultural purpose. Otherwise, local producers will remain vulnerable to citations driven by neighbor complaints and assumptions from those unfamiliar with working farms.

Farming is essential work. If we do not protect producers from arbitrary enforcement, the County risks running working lands out of business. Our farmers need constructive support from local government, not escalating administrative burdens and baseless violations.

Thank you for the opportunity to provide this information.

Respectfully,

Larry Bailey, President, Multnomah County Farm Bureau

On behalf of the Multnomah County Farm Bureau Board of Directors and our farming members