

Greetings:

First of all, I appreciate the time and attention given to the consideration of SB578. I am Fred Shipley, the present President of the Oregon Mycologist Society (OMS), a 501(c)(3) non-profit educational organization based in Portland, Oregon since 1949. We have over 600 active members who share the principles and purpose of the pursuit of fungi in:

- studying, collecting and identifying fungi
- educating members and the public about fungi
- promoting health and safety in the gathering and consumption of fungi

This is done through monthly meetings open to the public featuring mycologist speakers, skill building workshops in microscopy, field photography and micro photography, basic and advanced fungi identification, also in offering scheduled field trips and multi-day Mycocamps sponsored by OMS. Members skills range from rank neophyte to professional mycologists. Our contribution to research has included such work as maintenance of a 20 year Chanterelle study as reported in *Ecology and Management of Commercially Harvested Chanterelle Mushrooms* Gen. Tech. Rep PNW-GTR-576, March 2003, USDA, Forest Service, Pacific Northwest Research Station:69-7247-49 or offering to other non-profit organizations a fungal census of their forest resources.

Our self-interest is in promoting sustainability, diversity, and understanding of the fungal communities that surround us along with safe consumption of fungal products.

In regards to SB578, where do OMS and sponsors of the bill agree?

1. We agree in taking this opportunity to correct the language in 164.813 (5) in some manner that acknowledges the needs of a recreational mushroom harvester to whom the edible mushrooms are a key part of their diet, and secondly bring the statute into concert with other regulatory bodies permit processes (USFS and BLM) so that a citizen with good intentions is not prosecuted due to regulatory discrepancies in the harvest or transport of fungi. SB578 addresses this by the removal of the language in 164.813 (5) (a), but another approach would be to add clarifying language to 164.813 (5) (a) that corrects the fundamental flaw in the present enforcement of the statute. As written, the one gallon rule is interpreted by the enforcement to be the allowable quantity for the vehicle independent of the number of harvesters being transported or the number of field days harvesters are out. Simply rewriting the language would go a long way in resolving the discrepancy:(a) The cutting or transportation of wild edible mushrooms occupying a volume at harvest of one gallon or less [+as a “daily limit” for each harvester with total an allowable vehicle “possession limit” equal to the number of “harvester days” within the vehicle+]
2. OMS board of directors in general support reasonable permit processes that does not place undue hardship on the recreational applicant either in terms of fee structures or limited accessibility to acquire permits by the operating hours or limited locations of the issuing body. It would be our preference that the ORS measure stipulates clearly that for personal consumption for domestic households the regulating body is prohibited from establishing permit fees.

However, the OMS board has serious reservations concerning the primary focus of SB578 in that there is insufficient data demonstrating budgetary viability in state licensing of commercial mushroom harvesters and buyers. Clearer impact statements must be furnished showing that the outcome of the enactment of SB578 will result in a more sustainable resource, improved harvesting and yields, and a fair and ACTIVE implementation of the enforcement and at best, be self-sustaining and revenue neutral to the state coffers. Without an economic model showing the cost and impact of reasonable enforcement on all parties then the outcome seems to be less than successful.

In conclusion, OMS appreciates and supports activities that encourage sustainability of all our natural resources and feel that the intent of the sponsors is consistent with our view. However, we are cautious about creating unfunded mandates and creating legislation that has unintended consequences without adequate due diligence of the impact of such legislation without some sunset clause embedded within. We would support SB578 if the facts uncovered through due diligence showed merit of cause.