

Trant Lindsay

From: Carol Valentine <valentine@cavenet.com>
Sent: Wednesday, May 20, 2015 1:33 PM
To: Reiley Beth
Subject: HB 2509

Importance: High

Senator Chris Edwards
Chair, Senate Environment and Natural Resources Committee
900 Court St. NE, S-407
Salem, Oregon 97301

Re: HB 2509

Dear Senator Edwards:

I am writing to express opposition to HB 2509 and to ask that you and the members of your committee reject it based on the undue burdens it places on farmers who may be harmed as a result of contamination by genetically engineered crops, and also because it creates an obstacle to farmers availing themselves of the democratic system of checks and balances provided through the judicial branch of our government.

As a resident of Josephine County, I am particularly concerned that HB 2509 would directly impair the ability of Josephine County farmers to pursue enforcement of our county's ban on the open-air growing of genetically engineered plants, passed with bi-partisan support by 58%

Mediation may be a good choice for farmers in some circumstances, but mediation should be a voluntary process. HB 2509 proposes to hobble farmers by forcing those who have had their crops contaminated by genetically engineered crops into a vague and undefined Oregon Department of Agriculture ("ODA") mediation process.

HB 2509 would require that any farmer who does not participate in such a process may be liable for court costs and attorney fees of an opposing party in a related court case. The vast majority of small family farmers could never afford to risk having to pay the legal fees of a GMO grower, who would likely be joined by or have their legal expenses paid for by, Monsanto or other giant corporate agrochemical backers in the event of a legal action regarding GMO crop contamination.

If a farmer needed to take immediate and decisive legal action to prevent contamination of their crops, HB 2509 as currently written would prevent that, and instead require a farmer to engage in a potentially time-consuming and undefined ODA mediation process. The legislature should be assisting, not hindering, our small farms who produce quality crops for local markets.

Because HB 2509 places no limits on the mediation fees ODA could require or the amount of time that ODA could take to complete this undefined mediation process, ODA would be able to establish a mediation process that is a substantive obstacle to farmers attempting to get relief from GMO contamination, by creating an unreasonably burdensome mediation process in terms of time, money and other resources.

Lastly, I ask you to oppose HB 2509 because it would put into statute the notion that ODA's mediation process is "to assist the parties in attempting to reach agreement on issues regarding the coexistent use of agricultural lands." Josephine County voters passed the Genetically Engineered Plant Ordinance here, and a similar ordinance passed in neighboring Jackson County, because co-existence of genetically engineered crops and traditional crops is

simply not possible in our narrow valleys.

Please support the needs of small-scale family farmers and their communities and reject this bill.

Thank you,

Carol Valentine

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