



Thank you Chair Dembrow and members of the Committee for the opportunity speak to your Committee the other day in opposition to SB 931. My name is Mark Wall and I am the Land & Timber Manager for Roseburg Forest Products and I have practiced forestry in the Oregon Coast Range for over 30 years. In addition to the comments I shared with you the other day, and in my written testimony which I hope you have had the chance to read, I offer you the following additional statements of fact as you continue to deliberate this bill;

- Chair Dembrow asked me, and others sitting next to me, when I testified and I quote *“We are receiving a lot of testimony from people who want improved notification. What do we tell them?”*
 - MY response was that we already have a relationship with our neighbors and this was a technical fix to a problem that doesn’t exist and is not necessary. I will add to this response that it is not necessary because there is already an adequate system of notification in place called FERNS. This system which requires landowners to notify the State of our planned operations **also requires that we provide a contact number for concerned citizens to call.** Under the existing FERNS system then, **and with no legislative changes required,** a concerned citizen simply needs to subscribe to properties in the vicinity of their home and when they receive notification that an operation will occur in the near future they simply need to call the contact number listed on the FERNS notification for more specific information about when the operation will occur, what herbicides will be used if it is a spray notification, and to express any specific concerns they may have about their water supply, livestock, etc.
 - **The FERNS system is already available to all landowners to use free of charge and connects them with all operations in the vicinity of their home if they have subscribed to the system.** All landowners are required by law to notify FERNS of their planned operations thus providing a clear and mandated path of communication covering all activities that a timberland owner might conduct and that a neighbor may be concerned about.
 - FERNS only requires that adjacent landowners subscribe to FERNS to receive these notifications. **As I shared in my testimony the majority of our neighbors choose not to subscribe to FERNS** and as evidence I shared that out of 350 units planned to be sprayed this spring, that had 61 adjacent neighbors, **none of these neighbors were subscribers however all 350 units were covered by subscribers that we identified as environmental groups or activists.** A broader look at subscribers throughout our working circle found a similar trend were **the majority of our neighbors are not subscribers** but with the majority of our ownership covered by environmental group and activist subscriptions.

- Knowing the personal relationships that Roseburg has, or attempts to have, with **every one of its adjacent neighbors** I find it very hard to believe that there is a large contingent of neighbors in rural Oregon that are not receiving some form of communication from their neighboring timberland owners. **Every other timberland company I have talked to in Western Oregon reaches out to their neighbors in some manner.** Roseburg prefers personal contact while others prefer to send out letters informing them of their plans and providing a contact number to call back with concerns. In discussing this method with those companies that do this the vast majority get no response back to these letters and when they do they promptly respond to the inquiry and answer any questions or address any concerns the neighbor may have. **My point is that timber companies already talk to their neighbors and work closely with those who have concerns.** Please do not be swayed by activists who would make you think we do not communicate with any of our neighbors because we make every effort to do just that and any statement to the contrary is nothing more than hyperbolic rhetoric from those trying to create a problem where none really exists.
- Jason Gonzalez in his testimony to your committee the other day made several mis-leading comments (italics below) to your committee that I would like to rebut as follows;

 - Statement #1:** *“My personal drinking water for my family comes immediately off industrial forestland that is vulnerable to aerial spray.”*

 - Rebuttal:** It is unclear to me where Jason gets his drinking water? A search of the Oregon Water Resources Department’s (OWRD) online records show no surface water rights registered to Jason’s address. If he is collecting surface water from industrial timberlands for domestic purposes as his testimony suggests then it would appear he may be violating State Law. The attached map, downloaded from OWRD’s website, shows only one current legally registered surface water system for the property that Jason lives on (Jason rents a home on property belonging to Dave Eisler, the registered Water right owner) and it clearly shows it is not legally registered to provide water to Jason’s rental home. **His statement that his drinking water source is coming off industrial timberlands is therefore either false and he is getting his water from an unknown source or he is illegally diverting it from the identified legal source?**
 - Statement #2:** *“I would challenge some of you to stand along certain property lines of mine when a property next door is being sprayed by a helicopter.”*

 - Rebuttal:** Referring to the attached photo map you will clearly see that **there are no clear-cuts adjacent to the property that Jason lives on.** In fact there are no clear cuts within ½ mile of where Jason lives with one approximately right at ½ mile away and another ¾ mile away. **Both of these clear cuts were last aerially sprayed back in 2016.** These clear-cuts are now free-to-grow with no further aerial spraying occurring on them in the next 40+ years until the stands are harvested again. There has been zero aerial spray activity in the vicinity of where Jason lives since then and none planned in the immediate future. **His**

assertion that helicopters have sprayed along his property lines is therefore false.

- Jason is also a subscriber who subscribes to the area near his home as well as over 120 other sections of timberlands. Jason already stays informed of all forest activities within the vicinity of his their homes courtesy of the current FERNS subscriber system and Jason knows who to contact at Roseburg if he has any questions or concerns. **To date, Jason has never shown that he cares by contacting our company to inquire about any operation we have conducted adjacent to or near his property including the aerial spray operations we last did in 2016 just outside the ½ mile circle on the map that he would have received FERNS notification on. For him to say that the current FERNS system is inadequate and the process of notification needs updating is misleading and false because he is already made aware of our activities and has the contact information he needs to call us with follow-up questions or concerns.**

Thank you for considering this additional testimony in opposition to SB 931 and I hope that you make the right decision not to pass this bill out of your Committee.

Respectfully submitted,

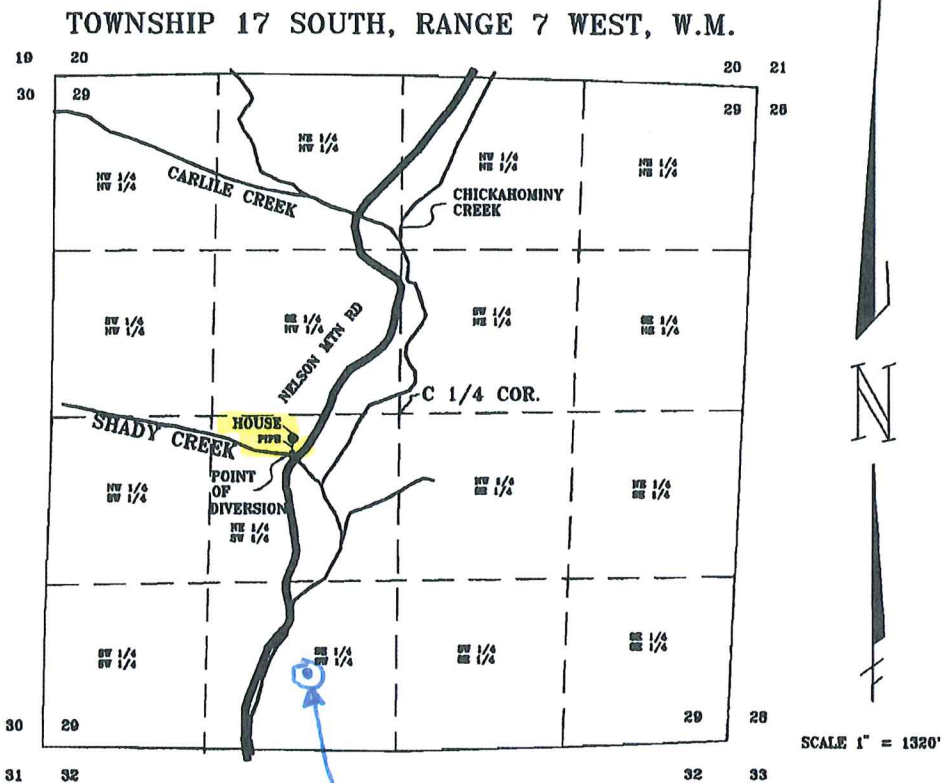


Mark Wall

Land & Timber Manager

Roseburg Resources, Co.

Map from Oregon Water Resources Dept website showing Dave Eisler's registered Water right which does not serve Jason Gonzales home

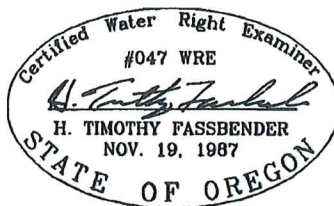


POINT OF DIVERSION
S 67° 52' 20" W 896.13' FROM
THE CENTER 1/4 OF
SECTION 29.

THE DIMENSIONS AND CAPACITY OF DIVERSION
SYSTEM IS THE FOLLOWING:
WATER DIVERTED BY 1" PIPE FROM CREEK TO
100 GALLON STORAGE TANK THEN INTO HOUSE
WATER PUMPED INTO STORAGE TANK VIA 5HP MOTOR

NOTE:
THIS MAP WAS PREPARED FOR THE
PURPOSE OF IDENTIFYING THE LOCATION
OF THE WATER RIGHT ONLY. IT IS
NOT INTENDED TO PROVIDE DIMENSIONS
OR LOCATION OF PROPERTY OWNERSHIP
LINES.

FINAL PROOF SURVEY
PRE 1909 WATER RIGHT MAP
FOR DOMESTIC USE
FOR
DAVID EISLER
88613 NELSON MOUNTAIN ROAD
WALTON, OR 97490
PH (503)935-7847
BY
STEPHEN H. FORD INC.
1120 BAILEY HILL RD #1
EUGENE, OR 97402
PH (503)344-1852



Jason Gonzales Vicinity Map

