

**Senate Committee on Wildfire Reduction and Recovery**

Oregon Farm Bureau Testimony on SB 1536

February 10, 2020

Chair Golden, and members of the Committee,

Thank you for the opportunity to provide testimony on SB 1536 -1. By way of background, the Oregon Farm Bureau (OFB) is the state's largest agricultural trade association, representing nearly 7,000 farm and ranch families in the state. While, OFB appreciates the legislature's efforts in addressing wildfire response and mitigation, and do not disagree on principle with many of the concepts presented by the Governor's Council of Wildfire Response, OFB has substantial concerns about details of the -1 amendment. Therefore, we urge you not to adopt the -1 and move SB 1536 forward at this time.

**I. Utilities:**

OFB understands the intention and purpose of the utilities section of this bill and is not opposed to it on principle. However, we have concerns about the potential impacts this section might have on existing utility easement agreements. Specially, SB 1536 -1 calls for utilities to create vegetation management plans, which could include the removal of vegetation that is also commercial agricultural crops. Currently, vegetation management is carefully negotiated between landowners and utilities in their easement agreements. We would like to see language inserted into the bill providing for the protection of existing utility easements.

**II. Land Use & Defensible Space:**

As strong supporters of the land use system, OFB understands that our comprehensive land use planning system can be a vital tool in creating wildfire adapted communities. However, we have concerns about the land use and defensible space provisions of this amendment. First, addressing wildfire is a unique and highly complicated issue; a one-size-fits-all approach will not adequately protect our communities and will be difficult for local governments to implement. The provisions of this amendment call for new uniform defensible space standards regardless of region and a top down statewide rulemaking, which will not work when adapting our rural communities to wildfire.

Any conversation about new land use zones relating to fire or new defensible space standards needs to be regionally tailored to meet the varied geographic needs of Oregon's diverse counties. What works for dry land wheat farmers in Sherman county, is only going to work for those in Sherman county. It is not going to work for small woodland owners on the coast, or ranchers on the eastside, despite all being located on EFU zoned land. The language of this amendment does not adequately provide for regional difference and local input from rural Oregon.

Second, OFB agrees that a statewide map can be a helpful tool in this conversation, but the creation of the map should be tasked with Oregon Department of Forestry and not the Department of Land Conservation and Development. From our perspective, ODF has the fire science expertise needed to be the lead on the creation of this map. Once the map is created, collaboration from DLCDC, the counties, and stakeholders should occur to have a meaningful conversation about possible changes to the land use system.

In sum, OFB understands the desire to use our land use system to address wildfire, but we need to have more conversations at a regional level before moving land use or defensible space legislation forward. Oregon's rural communities are the ones often tasked with adapting and mitigating the impacts of wildfire. Changes to land ordinances, rezoning, or new defensible space standards should come from the people who live and work in those communities. Therefore, we are opposed to the Land Use and Defensible Space standards of the -1 amendment.

### **III. Treatment & Protection of lands:**

First, OFB supports the active treatment and management of land in Oregon. In fact, it has been proven that grazing by livestock on public and private lands, managing land for cultivation, and thinning of timber are proven to be highly economical and effective methods of fuel load reduction, which are key tools in wildfire prevention. Therefore, we are not opposed to the treatment section of the base bill or the -1 amendment.

Second, OFB agrees that all lands in Oregon should have some level of fire protection. We agree that "no protection" is not an acceptable standard anymore. With that said, it is highly important that the baseline discussed in the Protection of Land Standard be regionally tailored. A single statewide baseline that does not consider regional differences will not work for Oregon. The language of this section needs to be made clear to recognize regional flexibility. We also understand the complexities of wildfire funding, and want to ensure that any solutions are looking towards our existing wildfire funding structure, are equitable in nature, and do not impose unnecessary tax burdens on rural Oregonians.

Moreover, we recognize that the intent of this section in the -1 amendment is to address unprotected lands. While we appreciate that this section is seeking to allow local governments to assist their residents in forming firefighting jurisdictions to meet that baseline, it is missing a key component. Under current law, cultivated lands are excluded from being able to join Rangeland Protection Associations. If the legislature is seeking to address protecting all lands in Oregon, a simple change would be allowing cultivated croplands the choice to voluntarily join RPAs. We saw this concept last year in SB 339, but unfortunately the bill did not pass. We would like to see this concept added into the language of SB 1536.

In conclusion, OFB greatly appreciates the work of the Governor's Council on Wildfire Response. Unfortunately, we do not believe that the language of this bill as proposed, or with this amendment, are the best solution for Oregon at this time. We must be ready for this upcoming fire season, but more importantly we must be thoughtful and correct in how we address protecting Oregon from wildfire. As such, we would urge you to not adopt the -1 amendment at this time and allow for more conversation to take place.

Thank you for the opportunity to provide comment. Please do not hesitate to contact us with any questions or concerns.

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