



# Coos-Curry County Farm Bureau

87518 Davis Creek Lane, Bandon, Oregon 97411

February 1, 2022

Senator Jeff Golden, Chairman  
Senate Natural Resource and Wildfire Committee  
Oregon State Capitol  
Salem, Oregon

RE: Oppose Senate Bill 1501

Dear Chair Golden and members of the Senate Natural Resource and Wildfire Committee:

The Coos-Curry County Farm Bureau's (CCFB) membership includes not only agriculture producers but also many small woodland owners in Coos and Curry Counties. The CCFB Board has been diligent at reading the draft documents proposed in the PFA and have had thorough discussions on what the PFA means to those of us who are family Small Forest Owners (SFO) along the Southern Oregon coast. Transparency is very important for all Oregonians. The process was confidential and behind closed doors. SB 1501 finally came out last week and it changes many Oregon statutes. SB 1501 also refers to the Private Forest Accord Report which is not yet available. SB 1501 should not move forward until everyone, including legislators, has the opportunity to view all the materials and try to understand the financial impacts to landowners and the State of Oregon.

History: The Oregon Forest Practices Act was originally passed by the Oregon Legislature in 1971, with the first rules created in 1972. Since then, the forest practices rules have changed **38 times** to ensure the regulations are in line with the latest scientific findings. In 1994, rules were put into law for riparian protection. In 2017, the Oregon Board of Forestry created the SSBT rules (larger riparian buffers) to prevent increased stream temperature, which can negatively impact salmon. Small Forestry owners have done their job including a conservation and restoration projects.

The following comments below only reflect our concerns with SB 1501 without the PFA Report. When the report comes out, we will then be able to address such issues as roads, riparian buffers, etc. which cannot be addressed based on the draft documents:

1. SB 1501 takes away the rights of landowners for "just compensation" for land use regulation and the expansion of riparian and slope buffers are a taking of land. For coastal Oregon timber producers, this takes up a huge amount of forest land.
2. "Adoption or amendment of the rules included in the rule package is NOT SUBJECT to requirements under ORS 183.333, 183.335 or 527.714 or Section 40 of this 2022 Act.". We are concerned that the new process provides for less public input as there is only one public hearing and the timelines are short. Because of the impacts to coastal Oregon, there should be hearings on the North Coast as well as the South Coast.
3. Landslide Modeling: At this point, the modeling is to be developed by a specific contractor. This



- does not follow normal government contracting protocol. From the documents we have seen, the landslide buffers take a tremendous amount of timber especially when added to the fish stream buffers.
4. Beaver Management: The language in the Beaver Conservation Commercial section severely impacts a landowner's ability to manage beaver on their property. Beaver trapping is prohibited on private forestland. Relocating beavers moves the problem elsewhere and the notification process is time consuming and costly for landowners and ODFW. Beaver removal is essential to protect riparian habitat buffers. This proposal will change beaver management in Oregon.
  5. Grazing Management: This should not be in the mitigation of the PFA. This agriculture practice is managed under the Oregon Department of Agriculture's Water Quality Plan (AWQMP) and Rules.
  6. Removal of Structures that block fish passage: The term "tidegates" was removed from the original Accord document and replaced with this language. Such structures are an essential part of coastal agriculture operations and impacts of removal are extensive. This section should be removed from the mitigation portion.
  7. Supporting acquisition of existing water rights: "Water rights" is primarily related to agriculture and generally not related for growing of timber. Even though this is in the mitigation section, it should be removed.
  8. Section 16 (C): In order to qualify under the SFO, the landowner must submit affirmation to the department that it does not expect to exceed an average yearly volume of two million board feet of merchantable forest products to be harvested from their forestland in Oregon during the ten years following the date the department receives notification of SFO. Nowhere in the bill is there logging limits for other landowners. Timber is a crop and should not have limits on harvest especially for SFO's.
  9. Grants: Please refer to the SFO language as everything is based on "may". For SFO's, there are no guarantees for funding of projects
  10. More Government Bureaucracy: CCFB is concerned about adequate funding for this bill. There is an enormous amount of additional required paperwork/reporting in this PFA which requires additional staffing by ODF, etc. The requirements required for SFO's is extensive and will be time consuming and costly to SFO's. Unlike industrial timber companies, we do not have a building full of staff to do the work.
  11. Penalties: There are increases penalty limits from \$5,000 to \$10,000 as well as up to \$50,000 per certain violators.
  12. Habitat Conservation Plan: The HCP will be written by ODF and approved at the federal level. The timeline is extensive for this process and we understand the new rules will be in effect after passing legislature and ODF rulemaking process. These amphibians listed are just vulnerable species. Coastal Oregon is the habitat for three out of the four salamanders listed. Small coastal woodland owners need to have a seat at table.

This is just some of the concerns addressed in relationship to SFO's and the PFA. As small family timberland owners, we see the rules are so extensive that we will be unable to economically harvest the timber that we and our forefathers planted. There will be more wildfires due to lack of proper forest management and more development of property rather than family forestlands which pass from one generation to another.

Thank you for the opportunity to further educate you as to the dilemma this legislation presents to SFO's and we encourage you to remove SFO's from this Private Forest Accord legislation.

Respectfully,



Marc Van Camp, President  
Coos-Curry County Farm Bureau