

Dear Senators on Natural Resources and Wildfire Recovery Committee,

Let me introduce myself, my name is Chris MacWhorter. I'm just a simple land use consultant who occasionally helps clients with natural resources projects. I'm writing today regarding the proposed SB1501 and 1502.

SB1501 appears to be a special interest solution looking for a problem. SB1502 is simply a convoluted tax increase for funding a small portion of the actual costs of SB1501. SB1501 references multiple times changes to Oregon's Forest Practices Act based on the 'Private Forest Accord Report'. This report is not even available to the public. I can only offer my 30,000 ft level thoughts and concerns.

I feel like I should point out the Forest Practice Act jurisdiction is all non-federal lands outside of incorporate city limits in Oregon. There is only an exception for possibly a few select urban growth boundaries. One of the presenters at the Feb. 1 committee meeting stated that there are roughly 65,000 small forest owners in Oregon. While that is a number, the reality is the number of citizens under the FPA jurisdiction is much, much higher.

There seems to be a misconception that these bills must be passed during the 2022 short session. It is hard to fathom why that must be. These bills were produced in a private, non-public, meeting by special interest groups. What's next, neo-nazis be allowed decide any racial justice bills in secret private meetings. They are concerned stakeholders, right? The Senate should pump the brakes on SB1501 & 1502 on the concept alone.

Luckily, the State of Oregon already has an established mechanism for changing the Forest Practices Act. The process is thru the Board of Forestry. The BoF should be having open hearings on any changes to the FPA. It is also worthwhile to note that the BoF is not representative of the current makeup of the average 'Joe' or 'Josephine' under the FPA. But at least we will have meetings to ask questions in.

Also, it is important to remind the Committee that property rights were lost to Oregonians during the passage of SB100 land use regulations in the 1970's. Those rights were given up under the expectation that forest, and farm practices were going to be protected. The protection was to not allow regulations that drive up management costs or decrease operable management area. Why do the special interest groups get to take this right of rural Oregonians? This is only going to increase demand for non-forest development on forest lands.

There is now an -1 amendment of SB1501. There is now language include that allows the State Forester (ODF personnel), or a 'representative of State Forester'. Who are these 'representatives' going to be? Should landowners expect anyone, say the UN, or Klan, maybe even Disneyland safety monitors? I'll admit some of my questions could have been asked during the Q&A session of the meetings that the public was not allowed to attend. I think the real questions that needs to be answered is, if they are allowing non-ODF personnel, to inspect

private lands. Then what authority will they have? Assessing \$50k fines. This seems like asking for trouble to come.

I should also mention that it is no secret that Calvin Mukumoto (OR State Forester) was brought onboard for his financial wizardry. SB1501 states that there will be exemption to the Just Compensation clause of ORS 195.305 to 195.336. I don't expect you to ask the writers of the bill why this is. I do request the committee to call Mr. Mukumoto up and explore reasonable rationales for this. Since Mr. Mukumoto just asked for \$100 million to cover 2021 fire costs. I'll even pay for an Uber for Cal to come visit your committee in person.

And on a final note, your committee also includes wildfire recovery. When Oregon passed SB762 last year, there was a strong message that was sent to rural Oregon to start actively managing small woodlands. That doesn't mean everyone needs to start industrial clearcutting. But SB1501 triggers strict regulations with any harvest activity on small woodlands. There is a mixed message from the legislature.

While many small forest landowners claim their properties are for investment purposes. That is because accountants advise us to do this for tax purposes. These lands are our homes and backyards.

I do offer the following solutions for the committee to explore. Send the process back to BoF or exempt non-industrial lands under 5000 acres.

Or an immediate solution would be for the Accord timberland owners to start implementing these rules tomorrow. They could have been using whatever rules they are proposing all along. Also, it is extremely important to note, that most all of the participants in the Accord meetings will likely be collecting their salaries, whether this works or not. That's not necessarily true for your constituents.

Thank you for your time and consideration.