

Dear Senators,

As a land use planner in southern Oregon for more than 40 years I have spent about half of my time as a county staff person for Josephine County and half of my time as a private consultant. Thus, I have experience as both an advocate of property owners and administration of codes.

The proposal is ambitious to address a significant problem of Wildfires within the state. I do see this proposal not as a practical approach but a bureaucratic set of legislation that leaves out local jurisdictions in developing the plans and rules. The only significant role is to administer a set of rules developed in some office or hearing room without the knowledge and experience of the people closest to the land.

None of us wants the devastation of fires to destroy our resources and homes. But the proposal here does not get to the practical issues. In the utility section it seems like the focus is to develop criteria to turn off power. If power is turned off in a rural area, there is no way to keep wells running to provide water to reduce flammability of an area. Turning off power also will turn off freezers and refrigerators with a resultant loss of supplies. More thought is needed rather than just pulling a switch.

The Land Use section puts a great deal of authority in LCDC to reduce fire risks through zoning and restrictions on land. This will likely result in a "Takings Issue" for loss of use or value. Measure 49 was adopted to prevent overly restrictive rules that give some recourse in the way of monetary judgement. I have seen the rules from the state planning system strip land from any value from overly broad or exacting restriction. A task force that includes property owners and the public needs to have more than just opportunity to comment. The public needs a seat at the table for such a momentous policy decision.

The Building Code section does not state whether this will only apply to new construction or will this be mandatory retrofitting of all existing structures. This kind of guidance needs to come at the front end and not the back end of the program.

As for the treatment section, it is ambitious to treat 300,000 acres per year. With 30,000,000 acres of forest land in the state, it will take 100 years to treat all of the forest. And while the bill states that this will be done in conjunction with the federal government, there is no assurance that the vast areas of federal lands would even be made a part of this program. A recent fire in Southern Oregon started on state land and was being fought in an exemplary manner. However, when the fire got to federal land, the federal government stepped and the policy was to let it burn with a resultant loss of more than 200,000 acres.

Additionally the bill states that private timber holdings will pay for the treatment with the exception of those areas where that have insufficient commercial timber resources to offset the treatment costs.

The state of our timber industry has been in decline and the costs of this program could complete the destruction of the timber industry.

This Bill appears to be rushed to have an immediate program to address a problem that has been a long time in the making by the lack of forest management. I urge you to take the time to study this issue in more detail than this quick fix approach.

Sincerely,

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