

Chair Beyer and Chair McClain
Oregon Legislature
Salem, Oregon

RE: Testimony Opposed to SB 395 and Request for Amendments

My name is Greg McCarthy along with Mark Gaibler and we are farmers that own/farm property alongside the proposed illegal Yamhelas Westsider Trail between Yamhill & Carlton, Oregon. We have undergone years of BS from fighting Yamhill county legal counsel & staff, past commissioners, and ODOT. LUBA has sided with our case in 5 remands & 2 illegal bridge construction "stays". The atrocities that have occurred from the very beginning should never be allowed to ever happen again.

- 1) Complete lack of public process and transparency of government
- 2) Not notifying property owners of intended plans of developing a trail
- 3) Poor public notifications for testimony opportunities. Possibly have a county vote to see if their citizens even want this type of project?
- 4) Grant monies obtained & spent on a project not permitted and under litigation with multiple appeals
- 5) Absolutely no study performed on how this trail would impact farm operations and property owners.
- 5) Construction performed before proper permits! What developer would be allowed to do this?
- 6) Generalized lack of planning (cart way before the horse!) and serious flaws and safety concerns of proposed project.

Yamhill county set a very bad example of how NOT to conduct a rails to trails project and this has alerted the entire agriculture community statewide.

We simply are advocates of protecting our land use laws especially EFU (Exclusive Farm Use) as it was created for a reason to protect a valuable resource from development. Back in the 70's farmers sacrificed their lands from being able to be subdivided in order to protect big block farm ground which makes Oregon unique and beautiful. So planning cycle paths are fine just please RESPECT farm zones. There will be no recreation if you can't eat!

AMD A MESSAGE TO ODOT: WHY WOULD YOU WANT TO MAKE AN ATTEMPT TO CREATE MORE BIKE PATHS/TRAILS WHEN YOU CAN'T SEEM TO MANAGE ALL THE HOMELESS CAMPS ON ALL OUR ROADWAYS, FREEWAYS, BRIDGES AND OTHER ODOT RIGHT A WAYS? ODOT YOU HAVE A HUGE PROBLEM AND UNTIL THAT'S TAKEN CARE OF WE DO NOT THINK YOU NEED TO CREATE MORE PUBLIC ROAD SPACE FOR ANYBODY!

Upon reading the Senate Bill 395 and the criteria for the panel. There is not 1 member who is land owner, farmer, timber person or anybody who will be impacted and yet you make it mandatory to have a bicycle sales/repair shop person and a minor on the panel. Really? What a lop sided representation is that? It is so easy to write positive letters on why you WANT something but it's a whole different matter when citizens and taxpayers have something to lose and are impacted and you need to hear their concerns.

We respectfully request that:

1. Grant funding for future trail/paths projects be thoroughly investigated to be legal before monies are dispensed.
2. It is vital to include a member of the Oregon Farm Bureau AND a farm/timber owner & operator on the committee.
3. A 5% increase of transportation funds is too much as we are all struggling from the financial losses from the pandemic and feel that funds should go towards more practical necessities vs. recreational wants. Oregon is a mecca of parks with safe bike trails that are not used as much as they should be.
4. ODOT and government needs to follow the laws and make sure more citizens have a VOICE in future projects.

Best regards,

Greg McCarthy, Ground Zero Farms and Ground Zero Seeds, Yamhill, Oregon, 97148
Mark Gaibler, Meadowridge Farms, Carlton, Oregon, 97148