

To: Brad Whitt, Committee Chairman, and Committee Members

From: Jack Scott, President Jack Scott Farms, Inc.

30 March 2021

Re: House Bill 2246

My name is Jack Scott and I was born in Oregon and have been farming for 65 years in the Willamette Valley. I have always cared for and been a steward of the land, and value our environment. I am sorry that my telephone testimony for the hearing was not able to be heard yesterday. Please accept this written testimony in lieu of my oral remarks.

I purchased 122 acres on Fish Hatchery Drive near Scio, OR in March 2013 to plant hazelnuts since we have been successfully farming hazelnuts for 30 years. The land had been repossessed and was in the Farm Credit System as the former owner went broke and was foreclosed on. The land was in distress and the property was in poor condition. The property was overgrown with Himalayan blackberries, hawthorns, a few oak trees, and brush. We proceeded to clear the ground and planted 64 acres of hazelnuts in 2018 on the upper ground. The last area we cleared was approximately 4 acres of dense brush in part of a 26 acre division of lower ground. All ground was cleared by fall 2017 and planted to annual ryegrass.

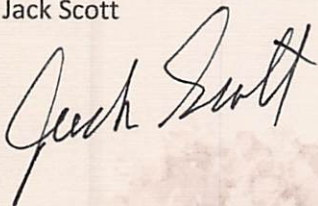
In June 2019, I received a registered letter from the Department of State Lands stating they believed that filling and destruction of wetland had occurred, and they asked to visit the site in August 2019. I agreed to the visit, and during the visit, three apparently random holes were dug in the 26 acre section of the field. By that afternoon, I received a voice message that the preliminary findings were that wetlands were present. I manifest that during clearing of these 4 acres, there was no obvious standing or flowing water, no saturated soils, or water ponding. Had there been native wetlands present, our field equipment could not have been able to work the ground.

I have since been fined \$6,000 that I was forced to pay on 23 Dec. 2019, with the threat that if I failed to pay, the fine would be doubled every 20 days. I feel that it is unfair to be fined or assessed based on a preliminary field observation by a single individual; especially in light of my having information that I was never allowed to present from prior owners and neighbors that the property had a prior lumber mill that would have impacted the soils. In my professional opinion, based on 65 years of farming, there were no native wetlands present. Receiving a letter saying that I had to build a pond, plant 6.14 acres of native plants, and maintain them for 5 years is an undue burden to my farming practices and livelihood.

Based on my firsthand experience, I respectfully ask that you move this House Bill 2246 forward to the legislature.

Sincerely,

Jack Scott



JACK SCOTT FARMS INC.

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