

# Picnic Creek Ranch LLC

Mount Vernon & Fox, Oregon

PO Box 172  
Mount Vernon, OR 97865  
(541) 620-0211  
PCRanch@ortelco.net



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## **Chair Prozanski, Vice-Chair Thatcher & Senate Judiciary Committee Members**

Alienated parcels of government-owned land really don't work for anyone. The public has impaired access, they can't be part of the county tax base, federal agencies are unable to manage them effectively, and the adjacent landowner can't put them to use like they can deeded property.

SB1545 only partially resolves one of those issues and does so at the expense of addressing the others. While decriminalizing trespass might appear to be an attractive short-term solution, it most certainly will come with serious unintended consequences including introducing unnecessary confrontation and conflict to affected property owners and the public attempting to gain ground access to landlocked public land.

Even if decriminalizing trespass at the intersection of private and public parcels is part of a future solution it is not the solution and is treating the symptom of a long-standing issue rather than the root causes.

Additionally:

- None of the people claiming that this is in the best interests of landowners are actually affected landowners.
- This is not the law in the 9<sup>th</sup> circuit, which includes Oregon, as some have falsely claimed.
- SB1545 proposes only to change the criminal trespass statute. Testimony from some bill advocates and others indicate that they believe the bill also changes the civil trespass laws, which would effectively legalize trespass at some unknown and undefined distance from the true "corner".
- Resolution of issues associated with the stranded portion of the Federal estate are complex and require substantial deliberation and effective compromise. The short session, which was never intended for bills of this nature, does not allow for either.
- The lack of survey or other on-the-ground corner markers, combined with imprecise cellular GPS technology and commercial mapping products based on frequently inaccurate county plat maps virtually guarantee increased trespass on affected lands (*see attached example*).
- Many counties in Oregon are no longer afflicted with so-called "checkerboard" land issues within their boundaries and were able to resolve that detrimental situation with solutions that truly benefited private, public and local and federal government alike. That is what should be pursued by the Oregon legislature in a bipartisan manner and supported by public and private land advocates of every stripe.

Sincerely,

*Shaun W Robertson*, Owner  
Picnic Creek Ranch