

3/8 – Senate Bill 405 -

Senate Committee on Natural Resources and Wildfire Recovery

I oppose 405 as written and all amendments 1-4; in particular Section 4 and 5 of Amendments 1-4 espousing Governor Brown Executive Orders (EOs) and Conflagration Act. The digest of the EO's and declaring the Conflagration Act by Governor Brown with an EO's is blatant deviation of the facts of the changes of ORS 215.215, 215.130, and 215.297 which determine the land use rules of this state,

Emergency EOs

Executive Order	Date Signed	Event – Expiration – until which time the Office of the State Fire Marshal has demobilized all OSFM resources off the incident. <i>Therefore all Executive Orders are expired with the exception of EO 20-60</i>
20-36	8-31-2020	Conflagration Act – White River Fire, Wasco County
20-40	9-8-2020	Conflagration Act – Holiday Farm Fire, Lane County
20-41	9-9-2020	Conflagration Act – Statewide – Fires and heightened danger
20-43	9-9-2020	Conflagration Act – Powerline Fire, Washington County
20-44	9-14-2020	Conflagration Act – Almeda Fire, Jackson County
20-45	9-14-2020	Conflagration Act – Slater Fire, Josephine County
20-47	9-15-2020	Conflagration Act – North Cascades Complex Fire, Clackamas County
20-48	9-15-2020	Conflagration Act – Brattain Fire, Lake County
20-49	9-25-2020	Conflagration Act – Archie Creek Fire, Douglas County
20-50	9-25-2020	Conflagration Act – Riverside fire, Clackamas County
20-51	9-25-2020	Conflagration Act – South Oberchain Fire, Jackson County
20-52	9-25-2020	Conflagration Act – Two Four Two Fire, Klamath County
20-53	9-25-2020	Amending EO 20-47 (9-15-20) Predating Conflagration Act change to (9-8-20) Regarding North Cascades Complex Fire
20-60	10/28/20	Proclamation State of Emergency to Support Ongoing Recovery from Catastrophic Wildfires. No expiration date; although will remain in effect and reviewed in one year. EO 20-35 is rescinded.

Section 2, MISINFORMATION:

State of Oregon and Federal Land Use Regulations supersede all land use within counties, cities or unincorporated towns within their boundaries and within this state.

Would appreciate the Legislative Assembly not revising the County Development, Land Use, and Structural Permits will responsibly adhere and approve accordingly to ORS 215.215, 215.130, and 215.297 as practicable to the land use laws of this state in an attempt to restore landowners loss by wildfire for a residential structure occupied by the owner as a permanent residence. The Act will expire on November 1, 2025. The extension of time to replace a structure from natural disaster is due to magnitude of the damage of the Wildfires of 2020.

Thank you for your consideration to protecting Oregon Land Use Laws.

