

House Bill 3350

Sponsored by Representative WEIDNER; Representatives CONGER, FREEMAN, HUFFMAN, JENSON, PARRISH, RICHARDSON, SCHAUFLER, SHEEHAN, THATCHER, THOMPSON, WAND, WINGARD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires State Forestry Department and other state agencies to support expeditious harvesting of downed trees as part of state forest recovery and restoration plans and policies. Requires State Board of Forestry to identify areas deserving priority in harvesting of downed trees based on fire danger, disease, insects or other considerations. Requires State Board of Forestry to adopt rules under state forest management plans to provide for expedited harvesting of downed trees. Requires State Forester to use opportunities for state involvement in development of federal policy to advocate for expedited harvesting of downed trees on federal forestlands in state.

A BILL FOR AN ACT

1
2 Relating to downed trees; creating new provisions; and amending ORS 527.630.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The State Forestry Department, the State Parks and Recreation De-**
5 **partment, the State Department of Fish and Wildlife, the Department of State Lands and any**
6 **other state agency with oversight responsibilities for state forestlands shall amend and ad-**
7 **minister their forest recovery and restoration policies and plans necessary to support the**
8 **expeditious harvesting of downed trees from state forestlands. The Oregon Department of**
9 **Administrative Services may assist state agencies described in this section with the devel-**
10 **opment of contracts and other procedures that support the expeditious harvesting of downed**
11 **trees as part of forest restoration and recovery efforts. The Oregon Department of Admin-**
12 **istrative Services shall provide appropriate contracting assistance and exceptions as may be**
13 **necessary to support the harvesting described in this section.**

14 **(2) In administering a harvest program for downed trees under this section, the State**
15 **Forestry Department shall cooperate with communities to identify wildfire-prone areas that**
16 **merit priority for hazardous fuel removal. The department shall also identify priority areas**
17 **for addressing drought-induced mortality and severe insect and disease outbreaks and iden-**
18 **tify areas for the general improvement of forest health, the protection of infrastructure and**
19 **the stabilization of soils within critical watersheds.**

20 **(3) The State Forester shall actively utilize the statutory provisions of the National**
21 **Forest Management Act of 1976, the Forest and Rangeland Renewable Resources Planning**
22 **Act of 1974, the National Environmental Policy Act of 1969, the Federal Land Policy and**
23 **Management Act of 1976 and the Healthy Forests Restoration Act of 2003 that allow the state**
24 **to participate in federal policy development for the purpose of advocating for the expedited**
25 **harvesting of downed trees on federal lands in this state.**

26 **SECTION 2. ORS 527.630 is amended to read:**

27 527.630. (1) Forests make a vital contribution to Oregon by providing jobs, products, tax base
28 and other social and economic benefits, by helping to maintain forest tree species, soil, air and water

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 resources and by providing a habitat for wildlife and aquatic life. Therefore, it is declared to be the
 2 public policy of the State of Oregon to encourage economically efficient forest practices that ensure
 3 the continuous growing and harvesting of forest tree species and the maintenance of forestland for
 4 such purposes as the leading use on privately owned land, consistent with sound management of soil,
 5 air, water, fish and wildlife resources and scenic resources within visually sensitive corridors as
 6 provided in ORS 527.755 and to ensure the continuous benefits of those resources for future gener-
 7 ations of Oregonians.

8 (2) It is recognized that operations on forestland are already subject to other laws and to reg-
 9 ulations of other agencies which deal primarily with consequences of such operations rather than
 10 the manner in which operations are conducted. It is further recognized that it is essential to avoid
 11 uncertainty and confusion in enforcement and implementation of such laws and regulations and in
 12 planning and carrying out operations on forestlands.

13 (3) To encourage forest practices implementing the policy of ORS 527.610 to 527.770 and 527.990
 14 and 527.992, it is declared to be in the public interest to vest in the State Board of Forestry exclu-
 15 sive authority to develop and enforce statewide and regional rules pursuant to ORS 527.710 and to
 16 coordinate with other state agencies and local governments which are concerned with the forest
 17 environment.

18 (4) The board may adopt and enforce rules addressing scenic considerations only in accordance
 19 with ORS 527.755.

20 (5) The board shall adopt and enforce forest practice rules to reduce the risk of serious bodily
 21 injury or death from a rapidly moving landslide only in accordance with ORS 527.710 (10). As used
 22 in this subsection, "rapidly moving landslide" has the meaning given in ORS 195.250.

23 **(6) The board shall adopt and enforce forest practice rules to promote the expeditious**
 24 **harvesting of downed trees from state forestlands, as provided in section 1 of this 2011 Act.**

25 [(6)] (7) The State of Oregon should provide a stable regulatory environment to encourage in-
 26 vestment in private forestlands.

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