



# Oregon

John A. Kitzhaber, MD, Governor

## Department of Forestry

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"STEWARDSHIP IN FORESTRY"

April , 25<sup>th</sup> 2013

The Honorable Brad Witt, Chair  
House Agriculture and Natural Resources Committee  
Room 347, State Capitol  
Salem, OR 97310

### **RE: SB 31 – Forestland Classification**

Dear Chair Witt and Members of the Committee:

The Department of Forestry appreciates the opportunity to provide testimony in support of SB 31.

The Oregon Department of Forestry (ODF) Fire Protection Program provides wildfire protection on about 16 million acres of private, county, state, and federally owned forestland in Oregon. A primary source of revenue for this protection is a "forest patrol assessment" from owners of protected forestland. For many decades, lands have been assessed based on forestland classification – a process outlined in Oregon law.

The ODF forestland classification system originated when conflicts arose between timber and grazing interests over the use of fire to develop and maintain grazing land in southwestern Oregon. One result of this conflict was passage of the Forest Land Classification Act by the Oregon Legislature in 1937. By the 1950s, the system had been adopted statewide with significant regional variation in interpretation and application. As a result there were issues and questions within the Department with field classification efforts. In early 2007 ODF executive staff initiated a thorough statewide review of the statutes, rules and policy that make up the forestland classification framework.

Recommendations from the statewide forestland classification review were included in SB189, passed during the 2009 Legislative session. With the passage of SB 189, the phrase "or representative thereof," referring to land-owning members of county forestland classification committees, was dropped. This phrase had allowed corporations, individuals and counties that own and manage large tracts of forestland to designate employees to participate on the committees. The removal of this phrase, which was not intended, limited the pool of committee candidates by eliminating employees of the entities who may not themselves own land.

SB 31 recognizes the importance of participation of these entities by once again allowing a representative of the landowner to participate as a member of a county forestland classification committee.

The other key change in SB 31 allows the State Forester to intervene if a county forestland classification committee's final order is appealed in circuit court. Under the existing framework it appears that the committees themselves or the county might be called upon to present a defense, with limited fiscal resources and limited legal representation available. With the passage of SB 31, in any instances where defense of an order may be needed by the Department, the Department of Forestry would plan to manage this within existing budgeted resources.

The Department of Forestry again thanks the committee for the opportunity to express its support for SB 31 and stands ready to assist in any way to finalize the bill. If you wish to follow up, please contact me at 503-945-7271.

Sincerely,

Travis Medema, Deputy Chief  
Fire Protection Division

cc: Doug Decker, State Forester  
Richard Whitman, Governor's Natural Resources Advisor  
ODF Executive Team  
Robert Young, Fire Prevention and Policy Manager