

Resolution 2015 L1 -

Request for State Study of Transfer of certain Federal Lands to the State of Oregon

WHEREAS, over 32 million acres (52.3%) of land in the State of Oregon is owned by the federal government;

WHEREAS, Oregon contains 13 National Forests covering over 14 million acres, or nearly one-quarter of the State's land mass;

WHEREAS, Oregon also contains the federally revested O&C Railroad grant lands, covering 2.4 million acres across 18 counties in a checkerboard array with private lands;

WHEREAS, Oregon has 15.7 million acres managed by nine federal Bureau of Lands Management Districts, over a variety of landscapes, including grasslands, shrublands, woodlands, wetlands, and non-forested deserts;

WHEREAS, the State of Oregon manages the same variety of landscapes on state lands;

WHEREAS, the use as a strategy of lawsuits under federal statutes by special interest groups has prevented on-the-ground projects on federal lands and prevented management of these lands;

WHEREAS, congressional budget reductions have significantly diminished the capacity of federal land management agencies to fulfill their responsibilities;

WHEREAS, the effect of federal non-management of its lands has stopped progress on the overlapping values of economic growth, social good, and healthy ecosystems and rather has been to create catastrophic fire conditions on these lands;

WHEREAS, today 40% of Oregon forestland is Class 3 or at high-risk for catastrophic fire;

WHEREAS, in 2013 the State of Oregon had to pay an extra \$40 million for fire suppression;

WHEREAS, the State of Oregon is pursuing the strategy of collaborative processes and state investments to increase the pace and scale of federal forest treatment, but its present rate falls at least two-thirds too slow to address treatment needs long-term;

WHEREAS, in Oregon, State Forest management has resulted in over \$46 million annually in revenue to Forest Trust Land counties from a mere three percent of the forestland base;

WHEREAS, management of private forestlands under the Oregon Forest Practices Act has resulted in a sustainably harvested range of 2.5 billion board feet to 3.5 billion board feet annually from 34% of the forest landscape, in contrast to federal lands' 400 million board feet from 60% of the forest landscape;

WHEREAS, as a direct result of non-management of federal lands, unemployment rates in federal land-dominated counties have been consistently the highest in the State (e.g., Harney 11.6%, Crook 10.7%, Curry 10.2%, and Douglas 10.1%); and, for example, in Oregon dry-side communities nearly one in five people live in poverty;

WHEREAS, the American County Platform of the National Association of Counties states that, "every state should receive everything that was promised to them in their enabling acts, including land transfers, if requested by an individual state with consultation with the affected counties";

WHEREAS, ownership and management by the State of Oregon of land currently owned and managed by the federal government may permit more efficient, effective, healthy, and productive management of these public lands;

WHEREAS, other western States with large federal ownership are considering or have begun a study of the legal, economic, social, and practical benefits and risks associated with the transfer of federal lands to the State;

WHEREAS, the study of a potential transfer of federal lands to the State of Oregon should not include any national parks; lands designated as part of the National Wilderness Preservation System under the Wilderness Act of 1964; lands belonging to an Indian Tribe that is held in trust by the United States; lands affirmatively ceded to the United States by state statute; and national monuments;

WHEREAS, a study of this kind by the State of Oregon that includes answers to the questions below would help direct the Legislature to determine an appropriate course for the State to take;

NOW, THEREFORE, BE IT RESOLVED that AOC urges the Legislature to appoint a bi-cameral and bi-partisan committee that includes two county governing body members to study the concept described in this Resolution;

AND BE IT FURTHER RESOLVED that AOC recommends that the study, among other appropriate topics, addresses the following questions:

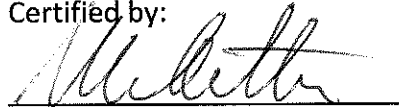
- What are the legal, economic, social, and practical benefits and costs of a transfer of federal lands to the state, including potential timber revenue and mineral leasing?
- What is the cost to state agencies to do an adequate, defensible cost/benefit analysis?

- What might be the impact on O&C legislation, i.e., would the transfer override the 1937 Act?
- Will federal payments to the state and counties be effected by the transfer?
- What state legislation would be required to affect such a transfer?
- Would the land be exempt from federal laws, e.g., the Endangered Species Act, the Clean Water Act, the National Forest Management Act, the Federal Land Policy and Management Act, and the Equal Access to Justice Act, after a transfer? If not, would the standards to comply with those Acts be different?
- How would such a transfer effect management schemes of multiple types of ownership?
- Would there be a reduction of local presence of federal employees in small communities, and if so, will they be replaced by state staff?
- Would federal participation in wildfire suppression be reduced or eliminated, and if so, what would the cost be to the state and private land owners?
- Would the costs of the transfer cause the state to sell any of the formerly federal public lands to private ownership?
- What other questions does the analysis need to answer?

AND BE IT FURTHER RESOLVED that if the State decides to seek transfer of federal lands that it do so in consultation with the affected counties.

Adopted: January 12, 2015
By vote of the Legislative Committee

Certified by:



Mike McArthur
Executive Director