



OREGON CHAPTER SIERRA CLUB

1821 SE ANKENY ST • PORTLAND, OR 97214

PHONE (503) 238-0442 • FAX (503) 238-6281

OREGON.CHAPTER@SIERRACLUB.ORG

WWW.OREGON.SIERRACLUB.ORG

To: Members of the House Committee on Rural Communities, Land Use, and Water

From: Rhett Lawrence, Oregon Chapter Sierra Club

Date: March 31, 2015

RE: House Bills 3240 and 3444, House Joint Memorial 13

Chair Clem and Members of the Committee: On behalf of the more than 20,000 members and supporters of the Sierra Club in Oregon, I am pleased to offer some written testimony on House Bills 3240 and 3444, and HJM 13. Thank you for considering my comments.

The Sierra Club is opposed to these pieces of legislation for a number of reasons, and we urge this Committee to oppose them as well. Even though they are styled as a way to better manage resources in Oregon for the benefit of its citizens, we do not believe this legislation will do any such thing. Nor do we believe the Oregon legislature should be exercising the democratic process in our state by enacting cookie-cutter legislation designed by the American Legislative Exchange Council (ALEC), as these bills appear to have been.

In any event, the federal lands in question here are, of course, public lands that belong to all Americans, and those other owners of this land should have a say in how it is managed. These are important recreational spots, hunting and fishing areas, drinking water sources, wildlife habitats, and carbon sinks. All of these values need to be factored into determining their worth – not just their value for extractive purposes such as mining, logging, and grazing.

Furthermore, the federal environmental laws that have slowed some of the unfettered logging and other extractive uses of federal land don't go away just because the lands get transferred out of federal control. The Endangered Species Act, Clean Water Act, Clean Air Act, and other critical environmental constraints will still apply to the use of these lands. However, the National Environmental Policy Act (NEPA) likely would not apply to the oversight of such lands if they were transferred to the state, which would likely dramatically curtail public involvement and input into the management of the lands. That doesn't seem like a win for Oregonians.

Additionally, we think it is exceedingly unlikely that the transfer of federal lands to state control, as contemplated by all three of these pieces of legislation, will actually result in any benefit for our state. In Idaho, where similar pieces of legislation were being considered last year, researchers at the University of Idaho's College of Natural Resources concluded that the costs of managing any transferred public lands would exceed the revenues under all but the most optimistic scenarios.¹

¹ See Jay O'Laughlin, University of Idaho College of Natural Resources, *Issue Brief: Would a Transfer of Federal Lands to the State of Idaho Make or Lose Money?* 4 (2014), at page 5. This document can be found online at <http://www.uidaho.edu/cnr/pag/publications/pagissue-briefs>.

Finally, for a comprehensive view of how such lands transfer bills have the potential to negatively impact the public's interest in such lands, I would direct the Committee to a white paper from the University of Utah entitled "The Transfer of Public Lands Movement: Taking the 'Public' Out of Public Lands."² I have also submitted this document to the Committee Administrator for inclusion in your files.

In conclusion, the Oregon Chapter of the Sierra Club simply cannot see any benefit to be gained from this ALEC-crafted legislation and we instead believe much harm could result. We urge this Committee to oppose these bills and to keep the public in the public lands in Oregon. Thank you very much for considering my comments and please let me know if I can be of further assistance to the Committee.

² Keiter, Robert B. and Ruple, John, *The Transfer of Public Lands Movement: Taking the 'Public' Out of Public Lands* (January 28, 2015). Stegner Center White Paper No. 2015-01; S.J. Quinney College of Law Research Paper No.99. Available at SSRN: <http://ssrn.com/abstract=2555922>