

HB 2656 STAFF MEASURE SUMMARY

House Committee On Energy and Environment

Prepared By: Misty Freeman, LPRO Analyst

Meeting Dates: 3/12

WHAT THE MEASURE DOES:

Prohibits, on forestland that is a drinking water source for a public water system, harvest type 3 operations; construction of a new logging road; application of pesticide; and application of a fertilizer. Allows State Forester, if Oregon Department of Environmental Quality (DEQ) concurs, to approve an exemption for an ecological restoration project or a third-party approved management plan to improve long-term carbon storage and climate resiliency. Requires person seeking an exemption to file an application with the State Board of Forestry. Directs Environmental Quality Commission (EQC) to adopt rules establishing criteria for DEQ to apply when determining whether to concur with an exemption approval. Requires criteria to ensure that approved activities will not elevate the risk of contamination of waters not currently impaired by or at risk of contamination by harmful algae blooms, sediment, turbidity, or organic carbon. Requires criteria to ensure that approved activities will reduce the risk of contamination in waters that are currently impaired by or at risk of contamination by harmful algae blooms, sediment, turbidity, or organic carbon. Requires notice be given for operations to be conducted on forestland that is a drinking water source. Restricts the State Board of Forestry from authorizing an activity prohibited in this Act as a best management practice, unless an exemption is approved for that activity. Establishes that a violation of the prohibitions on forestland that is a drinking water source is a Class A misdemeanor according to ORS 527.990, subject to a civil penalty not to exceed \$5,000, in accordance with ORS 527.685.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Forests are integral to the state of Oregon's identity, economy, and quality of life. They provide clean water, wildlife habitat, timber products, jobs, revenue for public services, recreational and tourism opportunities, biomass for energy generation, carbon storage, and more. Forests cover about 30.47 million acres in Oregon, almost half of the state's land base, and consist of federal (60 percent), private (35 percent), state (3 percent), tribal (1 percent), and other public (1 percent) ownerships. Oregon's forests are rich and diverse, varying by region. Statewide forest cover is dominated by conifers such as Douglas fir, true firs, western hemlock, and ponderosa pine. The most abundant hardwoods are big leaf maple, red alder, Oregon wide oak, and cottonwoods.

House Bill 2656 would prohibit certain activities on forestland that supplies drinking water to a public water system, including forest harvesting that requires reforestation and requires wildlife to leave trees; construction of a new logging road; and application of a pesticide or a fertilizer. The Act would specify criteria for exemptions, as well as noticing requirements and penalties for violations.