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Dear Chair Witt and Members of the Committee,

I have practiced environmental and land use law in Oregon for nearly 20 years. I have taught forest law and policy at Lewis & Clark College. Prior to that I worked for the Stoel Rives law firm in their corporate securities and venture finance department. I graduated *cum laude* from Willamette University College of Law in 1998. While in law school, I worked for the office of Legislative Counsel on issues related to Landslides and Public Safety.

I work with local communities, water manager, fire fighters, land use and conservation groups throughout Oregon. I was involved in the Forest Waters ballot measures, and I was on the negotiation team that reached agreement with the timber industry on the Memorandum of Understanding that led to the private forestland accord. Today, I am a participant in the ongoing mediation between the fish and forests conservation groups and the timber industry.

Now, let me turn to the topic at hand - the future of the Oregon Forest Resources Institute. I am not writing in support or opposition of the bill, as the Crag Law Center does not take positions on legislation. Instead we leave that to individuals, groups and the affected community.

I am writing to provide actionable information to the committee regarding OFRI's activities that may have violated its charter.

While I know many people were surprised and dismayed to read about OFRI's illegal activities in the Oregonian and OPB last year, I was not. I have been watching the work of the Oregon Forest Resources Institute since I began this work 20 years, and I have heard reports and seen how they have pushed well beyond the bounds of their charter.

As you have heard from many people, the Oregon Forest Resources Institute's primary mission has been to cast the Oregon forest products industry in a favorable light. That has been the sole purpose of OFRI since its founding in 1992. Let's start at the beginning.

In the early 1990s, the timber industry was facing public backlash against clear-cut and old-growth logging and saw the need to "educate" the public. One would expect that the industry would just form its own trade organization to shape public opinion. But this direct approach posed two crucial problems.

First, the industry would need to voluntarily pay dues to support the public relations effort. But the big players knew that many smaller operators would not fall in line. Second, a private entity would be seen for what it was -- a propaganda arm -- and the industry already had a couple of these. So how could the industry disguise the new entity as serving the public interest while still maintaining control?

A plan was hatched.

Instead of creating and funding it - the entity would be funded by taxes on timber operations. Instead of the tax money going into the general fund, as everyone else's taxes do,

operators paid their "dues" to support Public Relations for their industry directly. The other key was how to ensure that the new group would be tightly controlled. Simple.

By statute, nine of the 11 voting members on the board of directors of the group must represent lumber producers and the other two must be financially dependent on timber. The board also has two nonvoting members, including one particularly impotent representative of the public who, by statute, may not be affiliated with any organization "known to support or promote environmental or conservation issues."

The outcome was predictable.

OFRI has spent millions telling the public that Oregon has the most advanced forest practice laws in the nation. But the truth is that Oregon lags far behind California and Washington when it comes to safeguarding the public from the negative impacts of industrial forest practices. As has been documented by the Oregon Operators face minimal restraints on the aerial spraying of toxic chemicals or on the protection of stream-side buffers. The public has little say about harvest practices, even families who live right next door.

Yet OFRI has worked unrelentingly to sell industrial practices through polished commercials that communicate the industry's primary message that Oregon's forest ecosystems are fully protected by "landmark" forestry laws.

Undoubtedly, the forest products industry is an important part of Oregon's economy, and there are some very progressive leaders in the industry who are walking the talk.

But OFRI is not a disinterested party performing a public service. Without legislative action, OFRI will continue to spin its one-sided story without addressing the very objectives it professes to care about -- the impact of forest practices on clean water, healthy forest ecosystems and truly sustainable communities.

We know enough to move ahead and take action now. However, if you feel further investigation is warranted, I have compiled and submit a detailed list of activities that I have tracked. I fully expect that further digging will show that the illegal activities go deeper than reported.

Holding onto OFRI for their "educational" materials and funding simply doesn't make sense. Oregon should directly fund educational opportunities without going through OFRI. The main difference between funding education with OFRI or without them is that programming done through OFRI is guaranteed to be biased. The question of eliminating OFRI isn't a question of if we want to preserve or eliminate educational resources about our forests.

Of course Oregon students should learn about timber, "one of the state's largest industries." The question is instead a question of if we want our forestry education to be biased or if we want it to be balanced and fair. Education must provide students with a balanced understanding of logging complete with its economic value, but also why many current logging practices threaten drinking water and the environment. OFRI's idea of "education" looks like indoctrination. We don't need OFRI to have outdoor educational resources. In fact, Oregon's educational programs would be better off without OFRI and their biased information.

Sincerely,
Ralph Bloemers
Attorney at Law

Questions for Oregon Forest Resources Institute

1. What Google keywords did Oregon Forest Resources Institute buy from 2010-2020? What ads did it run? What did it run on YouTube?

- Information request - please provide all google keywords, ad purchases, and YouTube search and ads purchased during this period. (See sample below from 2020)

2. More specifically - What ads did OFRI run on Google and YouTube in Lincoln County from January through May 2017? Was this spend on digital ads greater than your spend in other counties of comparable size?

- Information request - please provide all reports from any digital marketing firms or independent contractors, emails and/or related information on any efforts to place advertising and content of that advertising in Lincoln County during this period.

3. Has the OFRI Board violated their statutory mandate that “No funds shall be expended by the institute for the purpose of influencing, or attempting to influence, any legislation or any rulemaking or other administrative activity of any state board, commission or agency.” ORS 526.650(2).

Answer: Likely yes. On information and belief, for example, OFRI ran a YouTube focused ad campaign in Lincoln County to try to influence a vote on Measure 24-177 that was on the ballot in May 2017. The local measure proposed a ban on aerial spray of toxic chemicals.

4. Has OFRI been attempting to influence state and federal policy on post-fire management, and that they have been promoting logging of burned landscapes?

Answer: Likely yes, see below for examples. Emails showing illegally lobbying and suppression of carbon and wildfire science to follow.

Possible Illegal Lobbying:

Clean Energy Jobs & Forest Carbon bill (HB 4109) or the Good Neighbor Authority bill (HB 4118) - OFRI appears to have weighed in on one or more of these bills. The Legislature could request all correspondence between OFRI staff and with people outside OFRI regarding these matters.

Aerial Spray (SB 837 from the 2015 session), OFRI sponsored a tour that Starker Forests and worked with Fran Cafferata Coe, who published an op-ed and featured her in their video series as a spokesperson to oppose efforts to advance this legislation. This Op-Ed was in response to an ongoing series of op-eds in the Register Guard that dealt with aerial spray and the the proposed county initiative there. OFRI appears to have attempted to weigh in and attempt to influence the vote on a matter before the public.

RipStream. OFRI attempted to influence these studies, which are showing that forestry is significantly degrading water quantity and quality.

Drinking water report (related to Rockaway and other coastal towns). In the past, OFRI issued a report on water protections for fish called The Oregon Way right as the Coastal Zone

Reauthorization Amendments were under consideration. In 2015, they published Rules to Live By which seemed to be directly aimed, in part, at undermining aerial spray reform efforts.

Forests and Wildfire. Paul Barnum wrote and submitted op-eds all over the state of Oregon over many years (2018 and 2019) which pointed to federal policy solutions.

https://www.oregonlive.com/opinion/2017/09/oregon_summers_a_season_of_smo.html

https://pamplinmedia.com/fgnt/37-opinion/396310-285197-barnum-congress-takes-first-step-to-ending-seasons-of-smoke?wallit_nosession=1

Suggested Additional Information Requests:

- all emails or other communication between staff or Board Members of OFRI and any other person discussing the “Forest Carbon Bill”, HB 4109, between January 2017 to present.

- all emails or other communication between staff or Board Members of OFRI and any other person discussing the “Good Neighbor Authority Bill”, HB 4118, between January 2017 to present.

- all emails or other communication between staff or Board Members of OFRI and any other person discussing SB 837, between January 2014 and December 2015.

- Any emails, communications or other guidance, both internal and external, regarding the formulation, development, and publication of the RipStream study.

- Any emails, communications or other guidance, both internal and external, regarding the formulation, development, and publication of The Oregon Way.

- Any emails, communications or other guidance, both internal and external, regarding the formulation, development, and publication of Rules to Live By.

- Any emails or communications from Paul Barnum between January and July 2012 regarding the development and publication of “Timber must be part of economic mix for rural counties” published in the Oregonian on July 20, 2012.

- Any emails or communication from Paul Barnum between December 2013 and March 2014 regarding the formulation and publication of “Public Trust in Forest Management Key to Sector’s Future” published on woodworkingnetwork.com on March 7, 2014.

- Any emails or communication from Paul Barnum between December 2013 and March 2014 regarding the formulation and publication of “Carbon Farming and recreation no replacement for forest sector” published in the Roseburg News Review.

- Any communications between any OFRI staff member or Board member with Fran Cafferata Coe in the last 5 years regarding drafting opinion pieces or any state or federal legislation.

Oregon Forest Resources Institute - Key Word Purchase on Google (2020)

Keyword	Exact Cost Per Click	Search Volume	Number of ads being shown
carbon capture	5.07	5500	6
wildlife jobs	0.62	3100	3
insecticides and pesticides	0.66	360	6
wildlife rehabilitation certification	1.45	340	4
logging forest		320	1
habitat preservation	0.64	300	14
forestry magazine	0.43	125	2
wildlife video	1.02	100	7
forestry forwarder	0.2	100	7
pros and cons of using pesticides		100	1
forestry trailers	0.41	80	13
wildlife conservation schools		70	12
wildlife forensic science	0.32	70	3
wildlife cruises	0.63	70	9
plywood wholesaler		55	9
forstry		50	2
wildlife rehabilitator colleges	0.49	40	5
hunting laws preserve wildlife		40	1
wildlife tourism		28	4
pesticides agriculture		28	3
environmental education for children		24	7
forest consultant	0.91	24	2
wildlife conservation information	1.08	24	16
wildlife gift	0.61	12	10
outdoor education resources	1.1	12	9
winter outdoor education jobs		12	9
forest wood removal equipment			18