

To Senator Jeff Golden, Chair, Vice Chair Senator Heard, and members of the Senate Committee on Natural Resources and Wildfire Recovery,

We are owners of a small (40-acre) organic tree farm in Clackamas County. Our property backs on a 192-acre piece of land that contains a portion of the North Fork of Eagle Creek, recently clear cut by Weyerhaeuser, then sold to a private party. As a result of this logging, there have been landslides on steep slopes adjacent to the creek and considerably less streambank shade and protection. We are deeply concerned at the current forestry practices allowed in our state, determined by large timber companies who currently dominate the Board of Forestry decision making. We support restructuring of the Board of Forestry.

SB-335-2 proposes three changes to current statute:

1) It strengthens conflict of interest language for Board of Forestry (BoF) appointments.

SB-335-2 revises that language such that up to two BoF members can derive "significant income" (which is specifically defined to enhance the statute's clarity) from forest operations or timber products. One seat is unrestricted and the second is provided for an owner of woodlands of 5000 acres or less. These seats are permitted, not mandated. A central principle of good governance is that public policy decisions should be made as free as possible from individual professional and financial interests. When three of the seven seats governing a regulatory agency are filled by employees or shareholders of the regulated industry, that standard is not met, especially when many other qualified Oregonians are available to serve who do not work for that regulated industry.

2) Dissolution of the Regional Forest Practices Advisory Committees

At least two-thirds of the members of these three advisory committees must by statute (ORS 527.650) be "private landowners, private timber owners or authorized representatives of such landowners or timber owners who regularly engage in operations." Staffed extensively by ODF personnel, the committees provide input on possible impacts on timber industry operations of new rules or policies that are under consideration. No advisory committee exists within ODF to represent other stakeholders in Oregon forest policy—groups focused on water resources, wildlife habitat, climate, recreation, tourism, etc. SB-335-2 dissolves these standing committees and provides that the BoF "may establish a work group to research, assess or provide recommendations on any issue or question, as necessary to achieve the purposes described in ORS 527.630." This gives the BoF flexibility to access input from any stakeholder group it chooses. Bottom line: Although input from the timber industry on prospective ODF rules and policies is essential, there are still multiple channels for providing that input. Embedding standing committees for just one of the several relevant stakeholder groups is a structural impediment to balanced and unbiased policy decisions and rulemaking.

3) Transfer of authority to hire or discharge the State Forester from the BoF to the Governor

SB-335-2 gives the Governor authority to hire or discharge the ODF Director, known as the State Forester. This is intended to align ODF with sound organizational practices generally.

Bottom line: Over time, forest practices have become one of the most contentious and politicized issues in the domain of state government. The Governor is the state's highest elected official, selected by and accountable to all Oregonians, as well as its Chief Executive Officer, responsible for the quality and performance of executive branch agencies, including ODF. It is neither reasonable nor organizationally effective to hold the Governor to that responsibility if he or she lacks authority over the agency's director.

We thank you for your consideration of this proposed legislation.

Sincerely,

Cathy and Roger Fantz

Trillium Forest Farm
Eagle Creek, Oregon