

March 17, 2021

Senate Committee On Natural Resources and Wildfire Recovery

Sen. Jeff Golden, Chair
Sen. Dallas Heard, Vice-chair
Sen. Bill Kennemer
Sen. Deb Patterson
Sen. Floyd Prozanski

Re: **Opposition to Senate Bill 335-3 (but with recommendations on improvement)**

Dear Chair Golden and Members of the Committee:

We request that this letter be entered into the public record on this matter. We are opposed to SB 335-3 as currently written. As we understand it, this bill (and its current -3 amendments) will drastically restructure aspects of the Oregon Department of Forestry, which would appear to be a “knee-jerk” reaction to recent negative, and perhaps in some cases, warranted publicity about certain forest practices.

First, a little background about us. My wife and I are retired, are small woodland owners and we own and manage about 84 acres of forestland in western Oregon near Estacada, which we have been doing for almost 30 years. We are proud of our forest stewardship, and we were honored for our work in 2020 as the Clackamas County Farm Forestry Association’s Woodland Farmer of the Year. We are also certified by the American Tree Farm System due, in large part, to our compliance efforts with the American Forest Foundation’s Standards of Sustainability. We received these honors not on account of how efficiently we can produce a forest crop, or how well we can log a forest stand; but on account of our forest sustainability practices, fish habitat restoration efforts, and educational services we present on our property to students of all ages about healthy streams and forests. We actively manage our forest for many requirements and uses, ranging from infrequent timber harvesting to wildlife habitat enhancements, recreation and riparian (relating to or situated on or near the banks of a river) restoration.

We specifically are opposed to the following provisions of SB 335-3:

1. Section 1 of the amended bill reduces the number of woodland owners on the Board of Forestry from three to two. While it is both appreciated and necessary that one of these two members be a small woodland owner (owning less than 5,000 acres), we are concerned that the reduction of members with first-hand knowledge of working forests will be a detriment to the overall committee. We suggest the following to preserve the intent of this board while also reflecting the additional knowledge that should be on the board for better decision making:
 - a. Retain three members with firsthand knowledge of working forests: one representing west-side forests, one east-side forests, and one for small woodland interests. It would be detrimental to public interests and to those of us who manage forestlands to not have this necessary experience base, given the difference in forest types between eastern and western Oregon as well as the differences between small and large, industrial woodland owners.
 - b. Increase the number of members on the board to reflect other important public interests regarding water, fish and wildlife. We believe this is vitally important.
 - a. The provision stipulating “Not more than two members of the board may have derived an average of \$1,000 or more, in the preceding five years, directly or indirectly from forestry or timber product-related enterprises” is not realistic. A higher threshold should be mandated in order to retain persons who have a more wide-ranging knowledge of all

aspects of forestland management, including economic aspects. Such a threshold should be raised to at least \$50,000. This would be counterbalanced by the additional members noted above.

2. Section 3 of the amended bill transfers the authority to hire or discharge the State Forester from the Board of Forestry to the Governor. This would politicize this position and leave it in the hands of a sole person, whether that be a democrat or a future republican, to choose this person. This responsibility should be left in the hands of a board that represents a variety of interests, the composition of which could be modified as described above to serve the public interest in a more holistic way. To our knowledge, most state agencies that have a governing board retain the responsibility to hire their chief operating officer.
3. Sections 4 and 5 of the amended bill eliminate the Regional Forest Practice Committees. This is a big mistake for at least two reasons:
 - a. A standing committee such as this is important to respond in a timely fashion to issues that arise; and, such a committee can address issues much more quickly than an ad-hoc committee or task force, which may take time to assemble.
 - b. The Board of Forestry must receive timely, science-based and practical input from forestry experts and practitioners from around the state so that unintended consequences of proposed regulations can be avoided, or that better rules may be created. Woodland owners from around the state, in concert with others, are in the best position to provide the Board with the necessary information it needs to make informed decisions.

In summary, we find that SB 335-3 in its current form should be withdrawn from further consideration, as such drastic action is not needed at this time. Amendments should be added to it to reflect what is suggested herein to provide a more balanced and informed response.

Thank you.

Sincerely,



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