

SUBCOMMITTEE RECOMMENDATION

SB 1501

Relating to a negotiated agreement concerning private forestland

To: Ways and Means Full Committee
From: Capital Construction Subcommittee
Carrier: Senator Golden

SB 1501 provides direction for the implementation of several parts of the Private Forest Accord.

The measure requires the Board of Forestry to adopt, amend, or repeal administrative rules pertaining to the Oregon Forest Practices Act consistent with the Private Forest Accord as a single rule package. Additional rulemaking is also required for post-disturbance harvest of trees, and for tethered logging.

The measure allows for the State Fish and Wildlife Commission to adopt, amend, or repeal rules as needed to conform with the rulemaking by the Board of Forestry.

Additional elements of the Private Forest Accord implementation specifically addressed in the measure include:

- The development and application of landslide modeling.
- The submittal of a proposed habitat conservation plan and incidental take permit.
- Added sections to the Forest Practices Act creating an optional set of harvest standards applicable to small woodland owners.
- The establishment of a Small Forestland Investment in Stream Habitat grant program and fund.
- The establishment of a Small Forestland Owner Assistance Office.
- Provisions related to taking of beaver, including related Department of Fish and Wildlife rulemaking

This measure establishes a grant program, statutory subaccount, and advisory committee at the Department of Fish and Wildlife to fund mitigation projects related to aquatic and riparian habitats impacted by forest practices and provides a \$10.0 million General Fund appropriation for the program.

This measure directs the Oregon Department of Forestry to establish by rule an adaptive management

program including the establishment of two advisory committees.

Additional statutory amendments to the Forest Practices Act are included that define specific terms contained in the Private Forest Accord, establish policies and intent around ensuring compliance with, and enforcement of, the Forest Practices Act, penalties for violations of the Act, and conformity of rulemaking under the Act with the provisions of the Private Forest Accord.

The measure explicitly indemnifies the treaty rights or other rights of Indian tribes, and the beneficial ownership interest in lands held in trust or held directly by Indian tribes from the application of provisions and statutory amendments contained in the Act.

The -A8 amendment combines the -A3, -A5, and -A7 amendments adopted by the subcommittee.

The Capital Construction Subcommittee recommends SB 1501 be amended by the -A8 amendment and be reported out do pass, as amended.