

February 6, 2020

The Honorable Karin Power
Chairwoman, House Committee on Energy and Environment
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Definitions of Solid Waste in Relation to Forests and Forest Products

Dear Representative Power,

The U.S. Endowment for Forestry and Communities, Inc. is a 501(c)3 public charity formed in 2006 with a broad mission to keep forests as forests and advance family wage jobs in forest-rich rural communities. Since our inception we have taken risks and made investments to implement systemic, transformative and sustainable change for our nation's vitally important and highly challenged natural resources-based communities.

The Endowment has a long and deep relationship with and commitment to Oregon. The Endowment funded the Dry Forest Investment Zone project that was implemented by Sustainable Northwest and Wallowa Resources that aided the development, capacity and success of forest collaboratives throughout Oregon. We are investing in research on advanced wood products at Oregon State University. We were a founding funder of the North American Forest Partnership headquartered in Portland and we provided the initial funds to the State Wood Energy Team and the Local Energy for America Fund in concert with the Oregon Departments of Energy and Forestry.

The Endowment is making the most significant single investment in its thirteen-year history, the Restoration Fuels, LLC facility in John Day, to provide a market-based solution to advance forest restoration treatments and help forest owners, managers and manufacturing facilities find a use for materials with few current markets. These same materials in other regions of the country and in other parts of the world are considered highly valuable inputs to a wide range of value-added products. While we are working on other options including exploration of products made from wood at the nanoscale that could also use these same materials, we don't have any other near-term options that have the potential to scale to meet the magnitude of our current forest health challenge beyond those that would link the utility sector in its efforts to move to renewables with the forest sector in a way that would help solve our common wildfire problem.

We have serious concerns about the implication of Oregon Department of Environmental Quality's interpretation of certain biomass as a "solid waste". This has implications for the first commercial-scale torrefaction facility in North America (Restoration Fuels) that holds so much promise to help rapidly advance forest restoration efforts to bend the curve on catastrophic wildfires and at the same time strengthen the viability of the critically important remaining sawmill infrastructure that stands on the cusp of helping make our cities more sustainable through the use of mass timber products.

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For reasons that we have been unable to comprehend, the Restoration Fuels facility appears to have been singled out under an odd interpretation that could have expansive impacts not only to our project and any that might follow, but if adopted, we cannot understand how it would not be similarly applied to white wood energy pellets, pulp and paper products, and oriented-strand board. We continue to reject the idea that the raw material inputs to the Restoration Fuels facility – the same ones sourced for the other products mentioned above – can be considered a “solid waste” or that the “torrefaction step” in processing somehow alters the definition of the raw material.

This decision sits on top of costly delays that we experienced in obtaining our air emissions permit even though our inclusion of a new boiler and state-of-the-art pollution control equipment will improve the overall emissions profile of the combined Malheur Lumber/Restoration Fuels complex.

As a public charity working in concert with state and federal natural resources agencies, the forest products sector, and the conservation/environmental sectors to address a problem that has plagued our region for decades and grows with each passing year, we are at a loss as to why we have had to experience the costly delays while more and more of our forests burn and sawmills in our region are shuttered.

We appeal for your help in bringing this situation to a speedy resolution that will allow all parties to address the challenges that face our forests and forest-rich communities while allowing us to fully test our thesis that market-based solutions are vital to a wide range of challenges facing Oregon and the entire inland west -- resulting in fewer catastrophic wildfires, improved forest health, more vibrant rural communities and needed jobs in our most challenged places.

Respectfully,



Carlton Owen
President and CEO