

March 18, 2021

Senate Committee on Natural Resources and Wildlife Recovery

RE: **Opposition to Senate Bill 335**

Dear Senators,

This is a solution in search of a problem. I believe the Board is not unduly influenced by the industry. Recent examples like the unanimous approval to move the proposed State Land Habitat Conservation Plan forward demonstrate the Board continues to ratchet up regulation of the 3.17.21 industry, often ignoring the industry's strong opposition.

This is regulation without **SUFFICIENT** representation for the citizens of this state. The Board's seven members make pivotal decision on management activities that are critical to the success of our rural businesses and the communities they support throughout Oregon. It is impossible for the Board to adequately review and vote on regulations without the benefit of on-the-ground, practical knowledge of how those regulations will impact the many foresters, loggers and landowners who work in the woods every day. This is akin to a hospital board not having the input of physicians, or a dental board not having the input of dentists.

Most states and most Oregon boards and commissions require significant representation from the profession or industry regulated. Our neighbors to the south statute require the Board not have a its members have a direct personal financial interest and requires three members be selected from the forest products industry. Oregon Board of Agriculture: seven of nine members must be actively engaged in the production of agricultural commodities. Oregon Health Authority: No more than 4 of 9 members can be employed in a health care or related field. Teachers Standards of Practice Commission: all but 2 of 17 members come from the education community, including teachers, administrators, superintendents, and school board members.

This further politicizes a highly controversial and contentious Board. For the past five years or more, appointments to the Board have been highly controversial, often failing to receive Senate approval. Requiring the Governor appoint the State Forester and that he/she report to the Governor only stands to further politicize the position and the agency and is not a way of achieving long-term stability in agency administration

Having regular open dialogue with the regulated community is a part of good governance. The Regional Forest Practices Committees give the agency and Board the opportunity to receive insight from on-the-ground practicing foresters, forest engineers, landowners, and watershed managers, helping inform policymakers when new rules, guidance documents, or other forest policies are being developed. And frankly, the composition of the Board of Forestry should not be under consideration right now. This topic was one of the elements of both timber and environmental initiative petitions that were clearly set aside when the Private Forest Accord was struck in February 2020. The Legislature supported that

agreement by passing Senate Bill 1602 in June of 2020, and it should continue that support by not pursuing this issue while the Private Forest Accord negotiations are ongoing. I urge you to stand by your promises.

Respectfully,

A handwritten signature in blue ink, appearing to read "Todd Merritt", with a stylized flourish at the end.

Todd Merritt  
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