

Southern Oregon Climate Action Now



Confronting Climate Change

<https://socan.eco>

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SOCAN Follow-up testimony on B337 / SB335-2

Chair Golden and members of the Oregon Senate Committee on Natural Resources and Wildfire Recovery:

I write on behalf of the 1500+ rural Southern Oregonians who are Southern Oregon Climate Action Now as SOCAN Co-facilitator to support SB337 / SB335-2.

The following comments were initially submitted several weeks ago regarding SB335-2. Since these were submitted, I have watched timber industry representatives repeatedly testify against and attempt to undermine that proposal. The essence of much of this testimony totally underlines the need for the ideas contained therein to be enacted.

When timber representatives base their argument on the premise that the three seats on the Board of Forestry are a timber industry entitlement, they are echoing exactly what we see as the problem. It is important to appreciate that timber extraction is not the only role that Oregonians perceive should be played by our forests. It is equally important to appreciate that forest ecology expertise is not limited to the timber industry. Not only can our universities offer a source of forest ecology and forest management expertise, but also environmental and conservation organization can provide expertise that represents those stakeholders. Hence, the timber industry is not the only stakeholder that should be represented on the Board of Forestry as some in the industry have argued. While it is reasonable to include that stakeholder group on the Board, there should be nothing about board membership that suggests a substantial number of its members should be timber industry representatives. Creating the impression that 3/7 of the Board should be from one stakeholder group is entirely inappropriate.

The rule of thumb for agencies within the Executive Branch is that they act under the authority of a Board or Commission composed of members of the public nominated by the Governor and approved by the Senate. In general, these Boards and Commissions are not comprised of individuals representing the very industries being regulated by the agencies. This is presumably because such an arrangement would inevitably impose on members of said body substantial conflict of interest such that they would be expected to recuse themselves on almost every decision made by the Board or Commission on which they serve.

The Board of Forestry is an exception to this rule of thumb. Indeed, while the prescription states: “No more than three members may receive any significant portion of their income from the forest products industry...” (<https://www.oregon.gov/odf/board/pages/aboutbof.aspx>) this has come to mean that three shall represent the timber industry and this has come to be viewed by that industry and some members of the legislature as an entitlement. What is equally disturbing is that these Board members have not adopted the customary ethical position of recusing themselves on issues that pertain to their business operations.

The implication of this arrangement is that Oregonians judge there to be an insufficient number of other stakeholders or individuals with relevant expertise to populate this Board. This is clearly incorrect since there is a wealth of forestry knowledge scattered among the conservation, environmental, social justice, tourism, recreation, labor, and water resources arenas, not to mention among scientists with forest ecology expertise.

It is no longer reasonable to argue that timber harvest is so far ahead of all other interests that this should dominate the Board of Forestry. We know that our forests serve critical roles in tourism and recreation, providing rural employment, and through their role in watershed services. More recently, we have become acutely aware of the role of forests in sequestering the atom carbon, a critical contributor to global warming when combined with oxygen, hydrogen, and other atoms. Nowhere in current statute is it decreed that these competing interests should be present on the Board of Forestry.

While one redress to the currently inappropriate mechanism for determining BoF membership would be to specify the stakeholder constituencies from which all Board members should be selected. Another, and that suggested by this proposal, is to reduce or eliminate the requirement that any board members represent timber interests.

Exactly the same argument as above applies to the current Regional Forest Practices Advisory Committees.

Finally, a brief review of the manner by which agency directors are appointed across that state (<https://www.oregon.gov/das/Policies/50-060-01.attachment.pdf>) indicates that, by a vast margin, the majority are appointed by the Governor, or at least require Governor approval. Since the agencies are state agencies within the Executive Branch, for which the Governor has ultimate authority and the Governor is ultimately held accountable by voters for agency performance, it seems only reasonable that the Board of Forestry should be brought into line with this majority.

For these reasons, I write on behalf of SOCAN to endorse SB335-2 and urge the committee to recommend its passage by the Senate and legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan PPO". The signature is written in a cursive, flowing style.

Alan R.P. Journet Ph.D.