

February 7, 2023

TO: House Committee On Agriculture, Land Use, Natural Resources, and Water

FROM: Klamath-Siskiyou Wildlands Center, Oregon Wild, Rogue Riverkeeper, Trout Unlimited, and Wild Salmon Center

RE: Testimony on House Bill 2161

Dear Chair Helm and Members of the Committee:

On behalf of the undersigned organizations, who represent conservation signatories of the Private Forest Accord, thank you for the opportunity to provide written testimony in opposition to key provisions of House Bill (HB) 2161. We ask that you not report this bill as introduced out of committee as it would have the effect of undoing important aspects of the Private Forest Accord.

In June 2020, the Oregon Legislature passed Senate Bill 1602 with broad bipartisan support which required mediated talks between fish, conservation, industrial timber and small woodland organizations. The talks led to the historic agreement known as the Private Forest Accord Report and three bills passed in 2022 – Senate Bills 1501 and 1502 and House Bill 4055 – that codified the agreement and also passed with bipartisan support.

The undersigned organizations are not only signatories to the Private Forest Accord, but worked closely with state and federal agencies as well as private industry and small woodland owners to carefully craft the agreements contained in the Accord. We are now deeply engaged in the implementation of the Accord and working to develop the Habitat Conservation Plan and other aspects of this suite of policies.

Our organizations are neutral on the provisions described in Section 1 of the bill. We support increasing resources to assist small forestland owners, but caution that increasing the amount of the tax credit available may create broader funding issues with overall implementation of the Private Forest Accord.

Sections 2-9 of HB 2161 are out of step with the Accord and would exempt forests from the Accord if those forests are located in certain land use zones. The definition of “forestland” under existing statute ORS 527.620(7) was used in the Accord:

“Forestland” means land that is used for the growing and harvesting of forest tree species, regardless of how the land is zoned or taxed or how any state or local statutes, ordinances, rules or regulations are applied. (ORS 527.620(7))

The Accord was crafted to apply to all forests administered under Oregon’s Forest Practices Act as those forests could be commercially logged. There was special consideration and strategies developed for small forest landowners. Exempting forests currently administered under the Oregon Forest Practices Act, in particular land use zones, is not what was agreed to in the Private Forest Accord.

We recognize the importance of providing timely recourse for irrigators or stock water systems that are impacted by beaver activity, however we are concerned about creating carve outs to the Oregon Forest Practices Act based on land use zoning. We would welcome the opportunity to better understand these concerns, and ensure that there are no undue burdens on agricultural water users.

Finally, we wanted to highlight other bills that are out of step with the Accord. Those include HB 2162, that would undo the critical beaver provisions of the bill and HB 2450 (referred to House Committee on Climate, Energy, and Environment), an effort to exempt certain lands from the Accord based on tree planting histories.

Consequently, we oppose select provisions of HB 2161, as well as HB 2162 and HB 2450. We urge the Committee against reporting out these bills. We look forward to working with the State and other partners to faithfully implement the historic Private Forest Accord.

Sincerely,

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