

Dear Chair Helm and members of the House Committee on Agriculture, Land Use, Natural Resources, and Water:

I am writing this letter as a reinforcement and amplification of my oral testimony, on February 9, in unequivocal opposition to HB 3019.

My name is Kate McMichael. I am a small woodland owner, living in Vida, in Lane County. My wife and I purchased our 39-acre forest property in 2019. It was our retirement dream to live on and care for a piece of Oregon's forest, to contribute tangibly to the health of our planet by caring for a small corner of carbon-sequestering, carbon-storing forestland. We poured our savings into the purchase. Eighteen months later, the Labor Day Fires happened. Our healthy, multi-aged carbon sink became, overnight, a carbon emitter, leaving behind a landscape of skeletonized trees and charcoal. We were more fortunate than many since we were able to salvage harvest a portion of our older trees—which was necessary so that we could begin a replant where they had lived (too close), burned and died. We are currently on our third replant, of the salvage unit and the other two thirds of the property. First the heat dome, then last year's abnormally dry winter killed nearly 80-90% of our baby trees. Any profits from the salvage harvest ran out long ago; no one is paying for seedlings or planters (when it's not the two of us), but us. Our precious woodland—now certified under the Oregon & American Tree Farm system, which is predicated on stewardship of Wood, Water, Wildlife, Recreation and Carbon—is no longer a carbon sink, but an undeniable, albeit still much beloved, money pit.

Throughout the process of becoming responsible woodland owners, both pre- and post-fire, OFRI has been an invaluable resource and trusted partner: accessible, science-based data and publications; workshops and webinars; support of organizations like WOWNet (Women Owning Woodlands Network) that have nurtured us on days when living in a burned woodland has seemed untenably heartbreaking. While our experience of our County, the State and multiple and vocal environmentalists has provided a constant barrage of what we should and should not do on our land—all without ever stepping foot on it or knowing or loving it as we do—OFRI materials, personnel and partners have never told us what to do; they have simply provided data on best practices, encouraged us to be responsible caretakers and stewards—to consider not only our trees, but wildlife habitat, water quality and overall watershed health—and let us make our own decisions.

Since the fire, our lives have been a roller coaster of experiences and emotions: grief at the loss of our forest; gratitude for the outpouring of support and assistance from the forestry and timber community—from OFRI and Extension to ODF and OSWA to foresters and representatives of “industrial timber.” In response, my “spare” time away from battling post-fire invasive vegetation and trying to keep baby trees alive, has become a series of board and committee meetings and positions to advocate for and support other small woodland owners. In many of these organizations, OFRI materials and partnership are key. In my role as Landowner at Large on the Committee for Family Forestlands, to take a single emblematic example, I have witnessed firsthand the valuable work done by ODF—and the symbiotic vitality of its partnership with OFRI.

This partnership is particularly critical as the successfully negotiated Private Forest Accord becomes the latest iteration of Oregon's Forest Practices Act. I know that I am not alone among Oregon's over 75,000 small woodland owners when I say that while these forest protection Rules play an important role in forest and watershed health and resilience, they are nearly incomprehensible without a translator. This is where OFRI comes in. The Illustrated Manual of Oregon's Forest Protection Laws—given to us by our ODF stewardship forester—lives (somewhat ironically since even if we can manage to successfully reforest, we will be long dead before any possibility of harvest) beside our Management Plan. It makes the language of the Rules accessible and comprehensible—both of which are key to being able to translate the

Rules from the abstract to boots on the ground. All of us—ODF staff and landowners alike—are waiting for the updated Manual and for landowner trainings to help us understand and implement the new Rules. While ODF may have the expertise to do this work, it does not have the funding, staffing or relationship resources—even adding an SFO office and SFO foresters does not change this—to accomplish this monumental task fully, effectively and successfully without OFRI.

Claiming that the new SFO Office and foresters make OFRI redundant is patently absurd, overlooking a multitude of factors, foremost of which being the reality that however awesome individuals who work at ODF may be, their primary relationship with landowners is regulatory. Some landowners have developed good relationships with their stewardship foresters—we love ours—but the new SFO foresters will be just that—new. New hires, new faces, new rules, new relationships. Good will and trust takes time to build. Additionally, the SFO office will be small: a few folks in Salem, a website and a handful of foresters on the ground throughout the state. Funding for ODF staffing is not guaranteed, but often falls victim to the political winds that can change with the biennium. And, lastly, the primary focus of both the SFO office and foresters will be on regulating or providing technical assistance and cost share information to woodland owners who file a notification to harvest near a stream or on a steep slope adjacent to a stream.

OFRI and its partners work with any and all landowners, regardless of their intent to harvest. OFRI has developed a broad network of working relationships of respect and trust with landowners and partnering agencies alike. And OFRI is not a regulatory agency; it is a respected, trusted provider of information and supporter of partnering organizations and groups that landowners rely on for information and assistance. Diverting OFRI funding will rob small woodland owners with no intention of harvesting their trees of the support they need to be environmentally friendly and climate smart in their forestry practices.

In reality, the impact of the new Rules will be less than immediate for many small woodland owners. This is either because they do not have streams or steep slopes, or swaths of their property have been lost to potential harvest already (wildfire will do that as will the decision to embrace conservation easements), or their trees are not of merchantable age, or—as is the case with many small landowners—they have other management objectives: wildlife habitat, riparian and watershed health, biodiversity, overall forest health and resilience. Although the vital role OFRI will play in translating the Rules is reason enough to stop making it a political target, OFRI's role in helping small woodland owners like us be good stewards of our forests is vastly broader and, in a time of climate change and (painfully obvious when listening to some of the anti-OFRI rhetoric during these two days of hearings) growing forest illiteracy, more crucial than ever.

Forest landowners fund OFRI through our harvest tax dollars. (When we were forced into a salvage harvest by the Holiday Farm Fire, one of the few bright spots was knowing that some of our harvest tax dollars would go to OFRI.) In return, we rely on OFRI to provide us with comprehensible, broadly researched, science-based resources and workshops to help us steward our forests according to best practices.

Please do not take OFRI away from us—or from our forests. Please do not support HB 3019 or allow it to move forward.

Thank you,

Kate McMichael
Elk Ridge Tree Farm | Vida, OR

Post-hearing(s) Postscript

Since Tuesday's hearing was expanded, so have my thoughts and comments. A curated few are included below (all of which are mine, not sourced from any list of talking points):

Although adding an explicitly conservationist community member to the OFRI board is a sign of the times, it reveals an insulting presumption that forestry and timber voices aren't inherently conservationist. This is related to the environmentalist (which I have come to see as distinct from actually conservationist) stance that seems to stem from the evils of ever cutting a tree. In any other context, this hands-off approach to care of a living system would be termed neglect.

Why is this bill continuing to harp on "problems" with OFRI as though we were still in 2020? After all, the Secretary of State audit made clear—if one took the time to read the actual report rather than simply the bullet point summary—that most of the issues of OFRI's ostensible "bias" or "confusion of mission" stemmed from the Legislature's initial establishment of OFRI rather than from the work or words of OFRI itself. Nevertheless, OFRI has done the good faith work of responding to the recommendations of the Audit. To continue to call for its dismantling or the redirection of its funding as if nothing has happened since the last long session seems an unnecessary waste of time and energy that could be better focused elsewhere.

What is the role of Oregon Wild in this bill? (No, this is not rhetorical. Why are they always here?) If they are providing "background" is that not a clear (even blinking red light) indicator of inherent bias in the legislation? Perhaps indication of a vendetta against the timber commodity commission from the self-proclaimed defenders of trees who probably can barely identify them (since they think all our forests are mono-crops when I know I've just spent the last weeks planting multiple species in my woodland)? For the record, Environmental programs or degrees are not the same as Forestry programs or degrees; general and specific may each have their place, but they are not the same. And, it is worth noting, it was an Oregon Wild representative who, when we chose to attend a book-signing of hers early in our tenure as small woodland owners, because we thought the environmentalists would be our "peeps," physically recoiled from us when she heard we had bought a small woodland property, told us that small woodland owners were the root of the problem with forestry in Oregon, and that we had virtually no laws to follow. No one in the forestry and timber community has ever left us feeling so dismissed—nor have any of them told us what to do on our woodland.

Why is Beverly Law still a part of this bill conversation? The people who "mistreated" her findings are long gone from OFRI. Her study, no matter where it was published, was just one study. Science is never "done" with a single study—especially one that ignored the possibility of extreme wildfire and leakage, as hers did. OFRI has moved on, is doing the hard work of making the requested reforms; it is time for Beverly Law to move on as well. The legislative process seems an inappropriate place for continuing to hold a public—and outdated—grudge.

Related to the preceding two paragraphs is the concomitant question of why the obvious bias of Oregon Wild and Dr. Law are presented alongside the bill itself, as though they are somehow value neutral, rather than another sally in the on-going assault on the forest sector at large? And one that seems particularly problematic alongside the much touted "we are all in this together" compromise that birthed the Private Forest Accord. Their "timber is the big bad destroying Oregon" stance ignores the reality that the work of the forest sector is more than simply the "murder" of helpless trees—and that the sector should be considered—as it indeed is—a valued partner in grappling with the climate crisis rather than the enemy. Trees—rarely old growth any more—that become logs (logs which hold onto the carbon they have sequestered over their lifespan) could be part of the answer to our current housing shortage. Forest sector jobs—noted in a recent Washington Post piece as having high job satisfaction—could be a key not only to income disparity across the state, but also to the mental health crisis. Careful,

thoughtful management of all our forests—not simply “industrial” ones—could supply jobs, wood products AND reduce the extraordinary buildup of fuels that are contributing to the mega fires that transform our carbon sinks into carbon emitters and make our air unbreathable for weeks on end. Admittedly, even the most careful management of our forests will not end the risk of wildfire, but the “leave the forest alone” neglect of so many forested acres is certainly not the answer. Even if, as in areas of the Bootleg Fire, the fire behavior is only changed rather than snuffed out, that is at least a step in the right direction. How is it better for millions of trees to die in a fire rather than a small percentage of them leave the forest, but live on as homes for people who need them? There are smart, passionate people on both sides of the current incarnation of the “timber wars”—why can’t we move beyond performative politics to work together to find solutions that could benefit all of us and the planet itself?

Lastly, and all forgoing frustration aside, I invite any and all of you to visit our property. I invite any and all of you to get to know our burned landscape and meet some of our trees—and maybe even learn and remember their names. I invite any and all of you to pull on your gloves and muck boots and spend an afternoon planting seedlings or installing mulch mats and vexar tubes and shades, or battling blackberries or scotch broom or other invasive species. I invite any and all of you to have an actual more-than-two-minute conversation with me or other small woodland owners, who take time away from caring for their woodlands to try to help you make informed legislative decisions—especially since those decisions will directly impact us, our trees, our woodlands. I invite any and all of you to bother to take the time to get to know the real people who dedicate their lives and resources to managing their forests and who are the ones deeply, personally impacted by your decisions—rather than relying on the testimony of self-proclaimed defenders of the forest.

And finally, this bears repeating, so I will: Forest landowners fund OFRI through our harvest tax dollars. In return, we rely on OFRI to provide us with comprehensible, science-based resources, workshops and partnerships to help us to steward our forests according to best practices.

Please do not take OFRI away from us. Please do not take OFRI away from our forests. Please do not allow HB 3019 to move forward.