

Submitter: Terry Bostwick

On Behalf
Of:

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

Measure: HB4106

Oppose HB 4106

More clearcuts, less habitat, and more timber industry lawsuits
would result from HB 4106

What it does: HB 4106 would fundamentally change the way the state forests are managed. It would require the Department of Forestry (ODF) to maximize timber harvest at the expense of all other values, like clean water, fish and wildlife, recreation, and carbon absorption and storage. As drafted, HB 4106 would allow the timber industry to sue the state to force more clearcuts on state forests.

Why HB 4106 is wrong for Oregon:

It would turn state forests into private tree farms. It requires the state forester to set timber harvest targets that would maximize harvest levels based on the "net present value." This would require the ODF to manage state forests like private tree farms, with short time periods between clearcuts, maximizing profits, minimizing costs, and eliminating remaining mature forests. This bill would upset the current balance requiring state forests to be managed for multiple values to benefit all Oregonians.

It would undermine the State Forest Habitat Conservation Plan (HCP). HB 4106 would derail the State Forest HCP. State and federal agencies are currently finalizing the Habitat Conservation Plan (HCP) to provide balanced protection for 17 species of salmon and wildlife that are listed under the federal Endangered Species Act. Compliance with this federal law is mandatory, but HB 4106 would force the ODF to justify every tree that is protected under the

HCP and invite unnecessary legal challenges.

HB 4106 would result in endless litigation. HB 4106 would establish a new right for the timber industry to sue the ODF over state forest timber harvest plans and obtain court orders to compel the approval of more clearcuts on public land. Members of the public would have no standing to challenge timber harvest plans unless they received revenue from logging state forests.

It would prevent the ODF from implementing its Climate Change and Carbon Plan. In 2021, the Board of Forestry adopted a Climate Change and Carbon Plan for state forests with the goal of establishing Oregon as a national leader in climate-smart forestry. HB 4106 requires state forests to maximize “net present value,” which would undermine Oregon’s progress toward this goal.

The bill’s reporting requirements are unnecessary. The ODF already reports harvest plans and revenue to the public on an annual basis after lengthy public comment periods. Every plan and timber sale is made available for public comment. Annual reports are issued at the end of the year detailing actual harvest, projected future harvest, and revenue to the counties.