

HB 3103 A STAFF MEASURE SUMMARY

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

Action Date: 03/31/25

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 9-0-0-0

Yeas: 9 - Boice, Hartman, Helm, Levy B, Marsh, McDonald, McLain, Owens, Scharf

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 3/3, 3/31

WHAT THE MEASURE DOES:

The measure directs the State Forester under the authority and direction of the Oregon Board of Forestry to adopt by rule a sustainable timber harvest level (STHL) and, to the degree consistent with other legal requirements, manage available state lands to produce the STHL.

Detailed Summary:

Defines "available state forestland," "material change in management," and "sustainable timber harvest level." Requires the State Forester to determine available state forestland and authorizes them to periodically adjust the determination of such.

Directs the State Forester to

- under the authority and direction of the Oregon Board of Forestry (Board), adopt by rule a sustainable timber harvest level (STHL) before making a material change in management, if the condition of available state forestland has changed materially, and at least once every 10 years.
- when determining a STHL, take into account:
 - the condition of the available forestland;
 - lawfully issued policies and directives by the State Forester, including a policy to implement, prior to federal approval, the material terms of a habitat conservation plan; and
 - all applicable federal and state legal requirements, including a habitat conservation plan, the Oregon Forest Practices Act, and forest management related rules adopted by the Board.
- in adopting a STHL, include any timber that was previously expected to be harvested but was not, unless prevented by factors like disease, wildfire, or storm damage.
- to the degree consistent with other legal requirements, manage available state forest land to produce the applicable adopted STHL.
- adopt an initial STHL by July 1, 2026.

Specifies that the measure does not alter the State Forester's obligation to manage lands in accordance with current state forest management statutes or restrict the authority of the State Forester and the Board to adopt rules for state forestland management, unless in conflict with this measure. Authorizes any person to apply to the Circuit Court for Marion County (Court) for a temporary or permanent injunction if the State Forester does not determine a STHL in time. Authorizes any person who commented on rulemaking establishing or adjusting a STHL to apply to the court for a temporary or permanent injunction if the State Forester does not manage available state forestland as directed by the STHL. Directs the Court to defer to the interpretation of the State Forester when interpreting any legal federal requirement under this measure. Appropriates \$_____ General Fund moneys to the State Forester for implementation. Declares an emergency and takes effect on passage.

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ISSUES DISCUSSED:

- Implementation of similar legislation in Washington State
- Current process used the Oregon Department of Forestry to create harvest projections

EFFECT OF AMENDMENT:

The amendment replaces the measure.

BACKGROUND:

State forest lands comprise three percent of Oregon's forested landscape. Their operations are guided by long-range management plans created by the Oregon Department of Forestry that balance certain social, economic, and environmental benefits of the managed forest land to address statutorily required management directives for both state forest lands and Common School Forest Lands.