

HOUSE AMENDMENTS TO HOUSE BILL 3103

By COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND
WATER

April 3

1 On page 1 of the printed bill, line 2, after “outcomes;” delete the rest of the line and line 3 and
2 insert “and declaring an emergency.”.

3 Delete lines 4 through 22.

4 On page 2, delete lines 1 through 7.

5 Delete lines 9 through 45 and delete pages 3 through 10 and insert:

6 **“SECTION 1. (1) As used in this section and section 3 of this 2025 Act:**

7 **“(a) ‘Available state forestland’ means forestland acquired under ORS 530.010 to 530.040,**
8 **and Common School Forest Lands managed under ORS 530.490, that are available for timber**
9 **harvest, as determined by the State Forester.**

10 **“(b) ‘Material change in management’ means a change in the management of state**
11 **forestland that materially changes the volume of timber to be harvested from the state**
12 **forestland.**

13 **“(c) ‘Sustainable timber harvest level’ means a planned volume of timber to be harvested**
14 **over a 10-year period, in annual increments, from available state forestland.**

15 **“(2) The State Forester shall determine, and may periodically adjust the determination**
16 **of, the available state forestland.**

17 **“(3) Under the authority and direction of the State Board of Forestry, the State Forester**
18 **shall adopt by rule a sustainable timber harvest level:**

19 **“(a) Before making a material change in management;**

20 **“(b) If the condition of available state forestland has changed materially; or**

21 **“(c) At least once every 10 years.**

22 **“(4) When determining a sustainable timber harvest level to adopt, the State Forester**
23 **must take into account:**

24 **“(a) The condition of the available state forestland;**

25 **“(b) Policies and directives lawfully issued by the State Forester including, to the extent**
26 **lawful, a policy to implement, prior to federal approval, the material terms of a habitat**
27 **conservation plan formally submitted by application to the National Marine Fisheries Service**
28 **or the United States Fish and Wildlife Service; and**

29 **“(c) All applicable federal and state legal requirements, including any applicable require-**
30 **ments under:**

31 **“(A) A habitat conservation plan approved by the National Marine Fisheries Service or**
32 **the United States Fish and Wildlife Service;**

33 **“(B) The Oregon Forest Practices Act set out in ORS 527.610 to 527.770 and rules adopted**
34 **thereunder; and**

35 **“(C) Rules adopted by the board that relate to the management of state forestland.**

1 “(5) A sustainable timber harvest level must include any amount of timber that was ex-
2 pected to be harvested under any previous sustainable timber harvest level and that was not
3 harvested, unless exigent circumstances such as disease, wildfire or storm damage prevented
4 the harvest of the timber.

5 “(6) The State Forester shall, to the degree consistent with other applicable legal re-
6 quirements, manage available state forestland to produce the applicable sustainable timber
7 harvest level adopted under this section.

8 “(7) This section does not:

9 “(a) Alter the obligation of the State Forester to manage lands in accordance with ORS
10 530.050; or

11 “(b) Restrict the authority of the State Forester and the board to adopt rules for the
12 management of state forestland, except to the extent that rules may not conflict with the
13 provisions of this section.

14 “SECTION 2. Notwithstanding section 1 (3) of this 2025 Act, the State Forester shall
15 adopt an initial sustainable timber harvest level under section 1 of this 2025 Act on or before
16 July 1, 2026.

17 “SECTION 3. (1) If the State Forester does not determine a sustainable timber harvest
18 level under section 1 of this 2025 Act by the time such a determination is required to be
19 made, any person may apply to the Circuit Court for Marion County for a temporary or
20 permanent injunction directing the State Forester to promptly comply with the requirements
21 of section 1 of this 2025 Act.

22 “(2) If the State Forester does not manage available state forestland in compliance with
23 section 1 of this 2025 Act, any person who had commented on rulemaking establishing or
24 adjusting a sustainable timber harvest level under section 1 of this 2025 Act may apply to the
25 Circuit Court for Marion County for a temporary or permanent injunction directing the State
26 Forester to promptly manage available state forestland in compliance with section 1 of this
27 2025 Act.

28 “(3) In any action under this section that involves the interpretation of a federal legal
29 requirement, the court shall consider the interpretation of the State Forester.

30 “SECTION 4. There is appropriated to the State Forester, for the biennium beginning
31 July 1, 2025, out of the General Fund, the amount of \$_____ for the purpose of adopting an
32 initial sustainable timber harvest level under section 1 of this 2025 Act by the time required
33 in section 2 of this 2025 Act.

34 “SECTION 5. This 2025 Act being necessary for the immediate preservation of the public
35 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
36 on its passage.”.