



Date: February 10, 2026

To: House Committee on Agriculture, Land Use, Natural Resources and Water

From: Michael Lang, Senior Policy Manager, Wild Salmon Center

RE: Please oppose HB 4105 and the -1 amendment

Chair Helm, Chair Owens, Vice Chair McDonald and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 4105. Wild Salmon Center's mission is to promote the conservation and sustainable use of wild salmon ecosystems across the Pacific Rim. We identify science-based solutions to sustain wild runs of salmon and the communities that depend on them.

Wild Salmon Center opposes HB 4105 and the -1 amendment. In the 2025 session, WSC engaged in negotiations as part of a work group convened by Rep. Helm and Rep. Owens on a similar bill. We identified our primary concerns around establishing a harvest level by rule that would undermine the state forest HCP and other plans and policies, such as the Climate Change and Carbon Plan. We also identified the judicial review section and provisions limiting adaptive management as concerns with the bill throughout the process. As part of those negotiations, some of WSC's concerns were addressed with the bill. As a result, we agreed to remove our active opposition from the bill as amended, although other organizations continued to oppose it.

Regarding HB 4105, our consistent concerns with the bill's overall approach remain and this version backtracks from the 2025 version of the bill in two key ways. Additionally, new information has been provided by the Oregon Department of Forestry (ODF) further demonstrating that the bill is unnecessary. Finally, the bill's fiscal impact is likely to be substantial and could take resources away from other important programs. As a result, WSC is in opposition to HB 4105.

1. New language could undermine the Western Oregon State Forest Habitat

Conservation Plan (HCP): HB 4105 would require the state forester to adopt a timber harvest level by rule that would prioritize timber harvest over other values on state forest land, elevating timber harvest over other laws, rules and policies. Section 1, Subsection 4 requires the state forester to "consider", but not comply with other laws, rules and policies when developing a timber harvest level rule. These include

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the state forest HCP, and measures to increase carbon sequestration, such as the ODF's Climate Change and Carbon Plan and the Governor's Executive Order 25-26.

2. **New and narrowed right to judicial review:** Section 3 of HB 4105 would result in more costly litigation by creating a new right to judicial review over state forest timber harvest plans. The bill creates a special right for recipients of timber revenue to sue the state forester over the implementation of the harvest rule. Restricting access to the courts regarding state forest management conflicts with the legal mandates in ORS 530.050 and OAR 629.035.020 to manage state forests for their "greatest permanent value," which is defined as "healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic, and environmental *benefits to the people of Oregon.*" WSC is also concerned that the new language in Section 3 may be inconsistent with the Oregon Constitution's equal protection clause.
3. **Ongoing concerns establishing a state harvest level by rule:** Consistently throughout this process, WSC has questioned the need to legislate a harvest rule. The state forester already sets ten-year harvest level objectives that are required to be consistent with all other state forest values. Proposed decadal and annual harvest levels are subject to public review and a comment period prior to adoption. The ODF issues annual reports on its progress in meeting harvest levels and has a solid track record of meeting or exceeding harvest objectives over time. **In its 2025 report titled "[State Forest Harvest Accomplishments](#)" the ODF reports that it exceeded harvest objectives over the past ten years.**

Circumstances beyond the control of ODF staff may cause temporary delays in processing timber sales. For example, an active wildfire season may temporarily pull ODF staff away from processing timber sales in order to protect lives and property, but the staff has always been able to meet its harvest objectives once the fire season reaches a conclusion.

4. **The fiscal impact of HB 4105 may be substantial.** HB 4105 is likely to have a similar fiscal impact as HB 3103 from the 2025 session, which was approximately \$12 million. At a time when Oregon is facing a fiscal crisis, Wild Salmon Center is concerned that this bill would detract from existing programs on state forests, such as recreation, habitat restoration and climate change mitigation.

In conclusion, we respectfully ask that you oppose HB 4105. Thank you for considering these comments.

Sincerely,

/s/ Michael Lang

Michael Lang
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