

SENATE COMMITTEE ON ENVIRONMENT & LAND USE

March 02, 2005
3:00 P.M.

Hearing Room B
Tapes 35 - 36

MEMBERS PRESENT: **Sen. Charlie Ringo, Chair**
 Sen. Jason Atkinson, Vice-Chair
 Sen. Roger Beyer
 Sen. Frank Shields

MEMBER EXCUSED: **Sen. Ginny Burdick**

MEMBER VISITING: **Rep. Jackie Dingfelder**

STAFF PRESENT: **Matt Shields, Committee Administrator**
 Katie Lowry, Committee Assistant

MEASURES/ISSUES HEARD:
 SB 345 – Public Hearing
 SB 530 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
TAPE 35, A		
005	Chair Ringo	Calls meeting to order at 3:06 p.m. Announces that SB 857 will not be heard today. States that neither SB 345 nor SB 530 will be moved out of committee today. Opens public hearing on SB 345.
<u>SB 345 – PUBLIC HEARING</u>		
020	Matt Shields	Committee Administrator. Explains SB 345.
029	Chair Ringo	States order in which he would like witnesses to testify.
030	Mari Anne Gest	Director of Governmental Affairs, The Wild Salmon Center. Asks Chair Ringo if she should address both SB 345 and SB 530 at the same time.
035	Chair Ringo	Opens public hearing on SB 530.
<u>SB 345 AND SB 530 – PUBLIC HEARING</u>		
040	Gest	Submits and reads written testimony in support of SB 345 and SB 530 (EXHIBIT A). Submits hand engrossed amendments to SB 530 (EXHIBIT B).
100	Chair Ringo	Asks how SB 345 is consistent with the defeat of Measure 34 in the November, 2004 election.
110	Gest	Responds.
115	David Moskowitz	Southern Cascadia Program Director, The Wild Salmon Center. Testifies in support of SB 345. Submits written testimony on SB 345 (EXHIBIT C) and a white paper titled "Science Supported Salmon Protection (EXHIBIT D).
135	Chair Ringo	Asks for clarification on phrase "in tact forests."
137	Moskowitz	Explains.
150	Chair Ringo	Asks if an opinion was expressed about how much of the forest should be set aside as reserves.
155	Moskowitz	Offers to return information to the committee. Continues

		testimony in support of SB 345.
163	Moskowitz	Asks if he should comment on SB 530.
165	Chair Ringo	Asks witness to limit testimony to SB 345.
168	Susan Ash	Conservation Director, Audubon Society of Portland. States that she is amending her written testimony and will give a copy to the committee before the end of the day. Submits and reads written testimony in opposition to SB 345 as currently written (EXHIBIT E) . Submits written testimony in support of SB 530 (EXHIBIT E) .
230	Chair Ringo	States that the Oregon Department of Forestry (ODF) reports that 22 percent of the forest is protected from cutting. Wonders why reserves should be designated when 22 percent of the forest is protected.
235	Ash	Explains.
240	Gest	Offers additional information.
245	Ash	Discusses lack of knowledge of location of protected forest.
253	Gest	States that the mentioned forest protection is not permanent. Explains.
259	Chair Ringo	Clarifies that these locations are currently protected but it is not known how long that will last.
260	Ash	Confirms this. Discusses habitat for Northern Spotted Owl.
263	Moskowitz	Discusses permanent reserve. Refers to white paper (EXHIBIT D) .
282	Sen. Atkinson	Asks Ms. Ash to explain term mentioned in testimony.
285	Ash	Gives term and explains.
293	Sen. Atkinson	Asks how that is different than an environmentalist.
295	Ash	Explains.
305	Sen. Atkinson	Asks about conservation movement.
309	Ash	States that she doesn't know how this pertains to SB 345.
310	Chair Ringo	Asks to move on to the next witness.
335	Sen. Betsy Johnson	Represents Senate District 16. Discusses similarity of SB 345 to Measure 34. Testifies in opposition to SB 345.
390	Chair Ringo	States that the state of Missouri has 15 percent of their forest set aside as permanent reserves. Asks why Oregon doesn't have any.
395	Sen. Johnson	Discusses the Forest Management Plan.
404	Chair Ringo	Reiterates that the ODF reports that 22 percent of the forest is protected. Asks if that is consistent with witness' understanding.
409	Sen. Johnson	Responds yes.
410	Chair Ringo	Wonders about designating permanent reserves from mentioned 22 percent.
414	Sen. Johnson	Reiterates that she would like to look at the Forest Management Plan.
422	Chair Ringo	Discusses the Board of Forestry and respective members.
TAPE 36, A		
003	Sen. Johnson	Discusses economic impacts of members on the Board of Forestry.
009	Chair Ringo	Responds.
015	Chair Ringo	Invites witnesses from the ODF to testify. Makes opening comments.
018	Marvin Brown	Director, ODF. Asks if the committee is taking comments on both SB 345 and SB 530.
020	Chair Ringo	Asks witnesses to limit testimony to SB 345.
022	Brown	Defers to other witness.
025	Steve Thomas	Assistant State Forester, ODF. Submits and highlights written

testimony (**EXHIBIT F**). Submits map of Stagecoach Horse Camp (**EXHIBIT G**) and map titled "Overview of River Segments and Recreation Sites Affected by SB 345" (**EXHIBIT H**).

050 Chair Ringo Asks question about in tact forests mentioned in previous testimony.

055 Thomas Offers to return information to the committee.

060 Thomas Continues highlighting testimony on SB 345 (**EXHIBIT F**).

105 Thomas Refers to map of Stagecoach Horse Camp (**EXHIBIT H**).

110 Sen. Shields Asks clarifying question on map of Stagecoach Horse Camp (**EXHIBIT H**).

111 Thomas Clarifies.

112 Chair Ringo Asks clarifying question on map of Stagecoach Horse Camp (**EXHIBIT H**).

122 Thomas Clarifies.

125 Sen. Shields Asks about riparian areas.

126 Thomas Responds.

127 Chair Ringo Asks clarifying question about riparian areas.

128 Thomas Explains.

129 Chair Ringo Asks what the widths of those areas are.

130 Thomas Gives details.

135 Thomas Continues highlighting testimony on SB 345 (**EXHIBIT F**).

136 Sen. Shields Asks what page witness is on.

137 Thomas Responds page 4 (**EXHIBIT F, Page 4**).

155 Chair Ringo Refers to proposal mentioned by witness. Asks if that would avoid the reduction in expected harvest levels for specified acres.

156 Thomas Explains.

160 Thomas Continues highlighting testimony (**EXHIBIT F**).

185 Chair Ringo Asks about the Cheney Deed Lands.

190 Thomas Responds.

191 Thomas Continues highlighting testimony (**EXHIBIT F**).

195 Chair Ringo Wants to interrupt testimony of witness to allow students to testify because they need to leave at 4:00 p.m.

210 Myles Buchanan Student, Arbor School of Arts and Sciences. Submits and reads written testimony in support of SB 345 (**EXHIBIT I**).

230 Nathan Troutman Student, Arbor School of Arts and Sciences. Submits and reads written testimony in support of SB 345 (**EXHIBIT J**).

255 Rebecca Garner Student, Arbor School of Arts and Sciences. Submits and reads written testimony in support of SB 345 (**EXHIBIT K**).

277 Chair Ringo Thanks the students for coming to the committee meeting and testifying. Invites Mr. Thomas to return to his testimony.

285 Thomas Continues highlighting testimony (**EXHIBIT F**).

355 Chair Ringo Directs question to Mr. Brown. Brings up forest reserves in Missouri. Asks what the purpose is of reserves.

360 Brown Discusses Missouri and the purpose of reserves.

390 Sen. Shields Wonders about habitat changes.

405 Brown Explains habitat changes.

TAPE 35, B

007 Thomas Discusses quality of habitats.

015 Sen. Shields Gives example.

018 Chair Ringo Discusses reserves along waterways. Discusses reasons for reserves and states that it is not necessarily only about habitats.

025 Brown Responds.

045 Rep. Deborah Boone Represents House District 32. States that the Tillamook Forest is

		part of her district. Testifies in opposition to SB 345. Reads a portion of testimony from Gus Meyer of Tillamook. Reiterates opposition to SB 345 and urges committee to not pass SB 345.
075	Chair Ringo	Discusses SB 345.
085	Rep. Boone	States that she supports the Forest Management Plan. Discusses land management.
100	Tim Josi	Commissioner, Tillamook County. Testifies in opposition to SB 345.
118	Chair Ringo	Discusses opinion of current Forest Management Plan. States that he would like to see cooperation from people on both sides of this issue.
125	Josi	Believes there has been cooperation. Explains. Gives history of land. References ORS 530. Discusses taking SB 345 to court if it passes.
174	Chair Ringo	States that Legislative Counsel (LC) believes SB 345 is legal.
176	Josi	States that he respectfully disagrees with LC.
180	Josi	Submits and reads written testimony of Tom Brian (EXHIBIT L).
202	Mark Labhart	Commissioner, Tillamook County. Submits and highlights written testimony in opposition to SB 345 (EXHIBIT M).
223	Chair Ringo	Asks how many acres are in the Chaney Deed Lands.
224	Labhart	Guesses about 1700 acres. Continues testimony in opposition to SB 345.
233	Chair Ringo	Asks if 115,000 acres mentioned by witness are likely to never be harvested.
234	Labhart	Confirms this. Explains.
240	Chair Ringo	Asks clarifying question about percentage mentioned by witness.
244	Labhart	Confirms this.
245	Labhart	Continues testimony in opposition to SB 345.
328	Chair Ringo	Discusses budget for recreation. Talks about priorities.
339	Labhart	Agrees with Chair Ringo. Discusses forest revenues.
340	Chair Ringo	Comments on witness' statement.
343	Labhart	Agrees that ODF probably did not budget for recreation when the forest was not returning revenues. Explains.
345	Chair Ringo	Comments on witness' statement.
346	Labhart	Discusses revenues and budget.
358	Chair Ringo	Discusses recreation.
367	Labhart	Responds.
388	Labhart	Continues testimony in opposition to SB 345. Makes closing remarks.
TAPE 36, B		
007	Chair Ringo	Appreciates testimony of witness. Discusses science of forestry.
010	Labhart	States that the science of forestry is different, not necessarily better than before.
014	Chair Ringo	Discusses science of forestry. Gives illustration. Discusses purpose for reserves.
025	Labhart	Points out that 21 percent of the forest has been set aside.
026	Chair Ringo	Responds.
034	Labhart	Discusses the Forest Management Plan.
037	Chair Ringo	States that he would like to have a conversation about this at another time.
040	Sam Patrick	Commissioner, Clatsop County. Gives an illustration. Discusses current program for forest management.
057	Sen. Shields	Discusses legislation and committee from the 2003 legislative

session. Discusses how Josi previously testified on structure based management.

080 Josi Responds.

095 Josi Asks to talk about SB 530. Testifies in opposition to SB 530.

120 Chair Ringo States that he is willing to consider amendments and modifications to both SB 345 and SB 530.

126 Les Helgeson Native Fish Society. Discusses specific language of SB 345. Testifies in support of SB 345.

156 Chair Ringo Verifies that witness is saying that the science of forestry isn't constant.

157 Helgeson Confirms this and explains. Continues testimony in support of SB 345.

187 Chuck Willer Executive Director, Coast Range Association. Testifies in support of SB 345. Submits written testimony **(EXHIBIT N)**.

275 Ray Wilkeson Oregon Forest Industries Council. States that the Oregon Forest Industries Council represents private forest land owners in Oregon. States opposition to SB 345.

285 Chair Ringo Verifies that witness represents private forest land owners in Oregon.

287 Wilkeson Replies yes.

288 Chair Ringo States that SB 345 does not impact private forest land owners.

290 Wilkeson Explains.

295 Chair Ringo Discusses reserves.

296 Wilkeson Responds.

300 Chair Ringo Makes comment on timber harvest.

305 Wilkeson Responds.

310 Karen Sjagren Testifies in support of SB 345 and SB 530.

340 Rex Storm Forest Policy Manager, Associated Oregon Loggers. Submits and reads testimony in opposition to SB 345 **(EXHIBIT O)**.

375 Lyndon Ruhnke Attorney, Clackamas County. States that he is testifying on SB 530. Refers to Sen. Johnson's testimony. Details conflicts of interest of members of the Board of Forestry. States that he supports SB 530 as amended. Makes additional recommendation.

450 Dale Buck Resident, Cloverdale. Testifies in opposition to SB 345 and SB 530. Submits written testimony on SB 345 and SB 530 **(EXHIBIT P)**.

The following prepared testimony is submitted for the record without public testimony:

Jim Welsh Lobbyist, Oregon State Grange. Submits written testimony in opposition to SB 345 **(EXHIBIT Q)**.

Sue Bowers Oregon Society of American Foresters. Submits written testimony in opposition to SB 345 and SB 530 **(EXHIBIT R)**.

Greg Addington Associate Director of Governmental Affairs, Oregon Farm Bureau. Submits written testimony in opposition to SB 345 **(EXHIBIT S)**.

Jay Ward Conservation Director, Oregon Natural Resources Council. Submits written testimony in support of SB 530 **(EXHIBIT T)**.

Richard Crimi Resident, Beaverton. Submits written testimony in support of SB 530 **(EXHIBIT U)**.

Pam Birmingham Resident, Seaside. Submits written testimony in support of SB 345 and SB 530 **(EXHIBIT V)**.

Matt Shields Committee Administrator. Submits SB 345-1 amendments **(EXHIBIT W)**, SB 345-2 amendments **(EXHIBIT X)**, and SB 530-1 amendments **(EXHIBIT Y)** for the record.

470 Chair Ringo Closes public hearing on SB 345 and SB 530 and adjourns

meeting at 5:03 p.m.

EXHIBIT SUMMARY

- A. SB 345 and SB 530, written testimony, Mari Anne Gest, 2 pp
- B. SB 530, hand engrossed amendments, Mari Anne Gest, 2 pp
- C. SB 345, written testimony, David Moskowitz, 1 p
- D. SB 345, white paper, David Moskowitz, 11 pp
- E. SB 345 and SB 530, written testimony, Susan Ash, 2 pp
- F. SB 345, written testimony, Steve Thomas, 13 pp
- G. SB 345, map, Steve Thomas, 1 p
- H. SB 345, map, Steve Thomas, 1 p
- I. SB 345, written testimony, Myles Buchanan, 1 p
- J. SB 345, written testimony, Nathan Troutman, 1 p
- K. SB 345, written testimony, Rebecca Garner, 1 p
- L. SB 345, written testimony of Tom Brian, Tim Josi, 1 p
- M. SB 345, written testimony, Mark Labhart, 1 p
- N. SB 345, written testimony, Chuck Willer, 3 pp
- O. SB 345, written testimony, Rex Storm, 1 p
- P. SB 345 and SB 530, written testimony, Dale Buck, 1 p
- Q. SB 345, written testimony, Jim Welsh, 1 p
- R. SB 345 and SB 530, written testimony, Sue Bowers, 1 p
- S. SB 345, written testimony, Greg Addington, 1 p
- T. SB 345, written testimony, Jay Ward, 1 p
- U. SB 345, written testimony, Richard Crimi, 1 p
- V. SB 345 and SB 530, written testimony, Pam Birmingham, 1 p
- W. SB 345, -1 amendments, Staff, 1 p
- X. SB 345, -2 amendments, Staff, 1 p
- Y. SB 530, -1 amendments, Staff, 1 p