

SENATE COMMITTEE ON
AGRICULTURE AND NATURAL RESOURCES

March 26, 2003
8:00 AM

Hearing Room B
Tapes 50 - 53

MEMBERS PRESENT: **Sen. Frank Shields, Chair**
 Sen. Roger Beyer, Vice-Chair
 Sen. Tony Corcoran
 Sen. Bill Fisher

STAFF PRESENT: **Judith Callens, Committee Administrator**
 Patricia Nielsen, Committee Assistant

MEASURE/ISSUES HEARD: **SB 430 – Public Hearing**
 SB 699 – 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 50, A		
005	Chair Shields	Calls meeting to order at 8:08 a.m. Opens public hearing on SB 430 and SB 699.
<u>SB 430 and SB 699 – PUBLIC HEARING</u>		
030	Sen. Gary George	District 12. Testifies in support of SB 699, which directs the State Forestry Department to develop a plan to harvest the Tillamook State Forest on a 40-year schedule. Presents video "Sea of Green." Discusses background and history of the Tillamook Forest.
115	Sen. George	Discusses staff report on history of the created forest. Submits written report and harvest revenue summary (EXHIBITS A, B). Recommends orderly harvest and replanting of forest areas which are in poor health.
165	Chair Shields	Asks how much is affected by Swiss Needle Cast disease.
170	Sen. George	Answers and also points out trees are not planted where they belong.
215	Sen. Charlie Ringer	District 17. Testifies in support of SB 430, which directs the State Forester to manage 50 percent of the Tillamook and Clatsop State Forests with goal of protecting nonconsumptive uses.
295	Chair Shields	Asks about consequence of locking up half the forest, versus requiring that environment, habitat and recreation must be more highly weighed. Asks for ideas about harvest.
315	Sen. Ringo	Suggests leaving the specifics of harvest to the Department of Forestry (ODF), to designate areas to be reserved and how the harvest should be conducted.
345	Sen. Beyer	Asks about wording of bill defining nonconsumptive uses and whether a timber sale could ever happen in the protected areas.
365	Sen. Ringo	Answers the idea that forests must be managed with broader uses in mind is more important than specific language. Suggests a focus on timber harvest restricts other uses. Offers to work

		together on wording.
390	Sen. Beyer	Inquires about funding for parking, picnic tables and public restrooms.
395	Sen. Ringo	Responds there is revenue from the timber harvest and ODF spends an unknown amount of its budget on recreation.
415	Sen. Beyer	Asks whether funds for parks should come from timber harvest dollars.
TAPE 51, A		
005	Sen. Ringo	Agrees and elaborates.
010	Sen. Fisher	Comments the Department of Transportation (ODOT) changed access to the area, not the loggers.
015	Sen. Ringo	Responds. Continues that Swiss Needle Cast is certainly a problem, and forest must be managed to protect against disease.
020	Chair Shields	Points out it is difficult to define value of recreational uses. Asks if there are statistics about uses.
030	Sen. Ringo	Suggests it is worth exploring, though timber value overwhelms the recreational use value.
035	Tom Wolf	Trout Unlimited; Chair, Tualatin Watershed Council. Testifies in support of SB 430. Submits written testimony (EXHIBIT C). Urges protection of salmon fishing and recreational uses.
085	Sen. Beyer	Suggests there is a tremendous economic value for public use. Suggests timber and recreation are not competing uses and recreation should be possible in managed forests.
090	Wolf	Points out that current plans focus mainly on timber so balance is needed.
095	Sen. Beyer	Suggests instead of reserving 50 percent for non-consumptive uses, ODF should be directed to develop trails and recreational uses.
100	Wolf	Acknowledges it is a possible option and offers to work on language.
115	Sen. Beyer	Comments bill suggests the reserved uses lock up all the forest and asks how the 50 percent would be selected.
125	Wolf	Suggests that logging can be done to minimize damage and maximize preservation. Again offers to work on language.
140	Sen. Fisher	Asks why ODF testimony does not address the concerns.
145	Wolf	Responds that all bureaucracies move slowly, and there are ways to work faster and better. Asserts there is a need to provide a plan to deal with concerns of recreational users, environmentalists and water quality specialists.
175	Sen. Fisher	Comments that ODF had public meetings over the issue.
180	Wolf	Opines ODF should move faster to protect future needs.
205	Ray Wilkeson	Oregon Forest Industries Council. Provides overview of state forest lands. Submits written testimony (EXHIBIT D).
230	Dave Ivanoff	Industrial forester; Vice President, Hampton Affiliates. Testifies in opposition to SB 430. Expresses support for the ODF management plan, and suggests some changes. Discusses scientific studies of potential harvest levels. Describes alternative models (EXHIBIT E).
TAPE 50, B		
005	Ivanoff	Continues and discusses effect of the state lands timber harvest on timber companies and timber-dependent communities. Asserts that in the face of state insolvency, the logging would restore the economic well-being of the local communities and of the state.

045	Sen. Beyer	Asks how much timber was sold in 2002.
050	Ivanoff	Offers to return information to the committee.
055	Sen. Beyer	Asks about production value of the land.
060	Ivanoff	Recommends 4-1/2 percent as a conservative approach which does not overstate growth.
070	Sen. Beyer	Asks about growth factor the company uses for its own lands.
075	Ivanoff	Responds the 1,100 board feet per acre per year is consistent with experience on his own lands.
078	Sen. Beyer	Comments he uses a 5 percent growth factor for his own land so 4-1/2 percent is not too liberal.
085	Wilkeson	Refers to his handout (EXHIBIT D), and contrasts state's management approach with how private forest lands are managed under the Forest Practices Act: <ul style="list-style-type: none"> • Private lands have 1 to 1 harvest (harvest almost as much as grow) • State land uses 3.3 to 1 (more conservative management) Points out specific differences: <ul style="list-style-type: none"> • Longer harvest rotation in state lands, which does not necessarily result in greater timber value • Protected zones in public lands are generally larger than on private lands • State is negotiating habitat conservation plan (HCP) with the federal government as required by the Endangered Species Act (ESA), but private owners are not required to participate
290	Chuck Willer	Director, Coast Range Association. Testifies in support of SB 430. Discusses drinking water supply. Submits written report (EXHIBIT F). Comments that ODF structure-based management is an improvement in the forest strategy. Explains the Tillamook Forest capacity for producing drinking water is nearly at maximum and is currently under expansion, and the population increase will require increased sources of drinking water. Discusses flaws in ODF management plan: <ul style="list-style-type: none"> • Compromises water supply while harvesting under the plan • Uses herbicides during harvest
TAPE 51, B		
005	Willer	Continues and compares drinking water supplies coming from privately-owned land to supplies from state-owned land.
050	Don Fontenot	Outreach Director, Tillamook Rainforest Coalition. Testifies in favor of SB 430. Submits written testimony (EXHIBIT G). Discusses coastal rainforest along Pacific Coast. Expresses willingness to work within the current Forest Management Plan to accomplish its strategy. Expresses concerns about implementation of the Forest Management Plan because it does not provide best permanent value. Responds to misunderstandings: <ul style="list-style-type: none"> • The Coalition plan will not lock up 50 percent of forest where logging will be precluded • Refers to research report (EXHIBIT H) and asserts trust lands are not required to produce revenue from every acre

		<ul style="list-style-type: none"> • Revenues from timber sales go schools but also to ODF to support roads • ODF is not using best available science • SB 430 represents a balanced approach, not an extreme position
135	Sen. Corcoran	Asks about allowing timber harvest.
140	Fontenot	Clarifies timber harvesting will be allowed.
145	Sen. Corcoran	Inquires how logging can be done if primary use is nonconsumptive.
150	Fontenot	Distinguishes between revenue production and other goals such as improvement of riparian management.
155	Sen. Corcoran	Comments if 50 percent of the land is set aside for nonconsumptive uses then logging is effectively shut down in those areas.
160	Fontenot	Suggests thinning will achieve nonconsumptive goals.
165	Fontenot	Discusses requirement that trust lands are primarily for revenue production. Asserts the greatest permanent value rule means value for the state, not the counties. Describes flow of timber revenue to ODF as well as to schools. Suggests the Independent Multi-disciplinary Science Team (IMST) did not use the best available science in formulating its recommendations.
250	Fontenot	Continues and testifies in opposition to SB 699 because it is too extreme. Suggests SB 430 is a compromise between SB 699 and the Forest Management Plan.
270	Willer	Responds to Sen. Corcoran's question about environmental groups blocking forest health by restricting activities. Recommends checking with foresters on the ground to dispel concerns.
285	Sen. Beyer	Asks why timber harvest and recreation should be mutually exclusive.
290	Willer	Responds the question is what is the alternative economic potential of a robust amenity recreation strategy for portions of the landscape. Asserts that structure-based management precludes other uses and other economic potential.
325	Fontenot	Discusses specific examples.
345	Sen. Beyer	Points out his neighbors trespasses onto his actively-managed forests.
370	Rex Storm	Forest Policy Manager, Associated Oregon Loggers; certified forester. Testifies in opposition to SB 430 and SB 699. Submits written testimony (EXHIBIT H). Opposes codifying the harvest requirements and suggests land management professionals must make the decision.
TAPE 52, A		
020	Carolyn Eady	North Coast resident. Testifies in support of SB 430. Submits written testimony (EXHIBIT J). Discusses timber harvest and effect on the local communities. Concludes the Clatsop State Forest is managed with valid restriction on 50 percent of the land. Supports management plan but suggests plan should have a ceiling for timber harvest instead a floor for revenue.
135	Bradley Witt	Oregon AFL-CIO. Testifies in opposition to SB 430 and SB 699. Submits written testimony (EXHIBIT K). Supports the ODF Forest Management Plan.
200	Chair Shields	Asks about management plan and how compromise can be

215	Witt	reached. Responds balance is the goal, which the Forest Management Plan provides without elevating one use over another.
240	Cameron La Follette	Oregon Shores Conservation Coalition. Testifies in support of SB 430. (EXHIBIT L) . Discusses interest by the coalition due to the effect on the shore areas by upstream activities in the Tillamook forests.
295	Chair Shields	Receives testimony of David Williams (EXHIBIT M) .
305	Jeff Merrick	Testifies in favor of SB 430. Submits written testimony (EXHIBIT N) . Points out SB 430 retains timber production levels to sustain existing old economies, while allowing business opportunities for logging companies. Urges members to set a vision and put into statute to reduce litigation.
380	Daniel Hall	American Lands Alliance. Testifies in support of SB 430. Submits written testimony (EXHIBIT O) . Raises concerns that Forest Management Plan would not support environmental concerns for species which need mature and stable habitat. Expresses support for longer rotation rates.
TAPE 53, A		
010	Jeffrey Birmingham	Sierra Club. Testifies in favor of SB 430. Submits written testimony (EXHIBIT P) .
110	Pam Birmingham	Realtor, part-time park ranger at Fort Clatsop. Testifies in favor of SB 430. Submits written testimony (EXHIBIT Q) . Asserts that structure-based management is an unproven experiment but SB 430 provides a balanced approach.
190	David Gabrielsen	Professional forester. Testifies in support of SB 430. Submits written testimony (EXHIBIT R) . Expresses concern about current management of state forests.
280	Chair Shields	Closes public hearing on SB 430 and SB 699. Adjourns the committee at 10:46 a.m.

EXHIBIT SUMMARY

- A – SB 699, written testimony, Sen. Gary George, 2 pp**
- B – SB 699, harvest revenue fact sheet, Sen. Gary George, 1 p**
- C – SB 430, written testimony, Tom Wolf, 2 pp**
- D – SB 430 and SB 699, written testimony, Ray Wilkeson, 10 pp**
- E – SB 430 and SB 699, written testimony, Dave Ivanoff, 1 p**
- F – SB 430, report “Drinking from the Rainforest,” Chuck Willer, 57 pp**
- G – SB 430, written testimony, Donald Fontenot, 4 pp**
- H – SB 430, report “Managing Oregon’s Chapter 530 Lands,” Donald Fontenot, 70 pp**
- I – SB 430 and SB 699, written testimony, Rex Storm, 2 pp**
- J – SB 430, written testimony, Carolyn Eady, 5 pp**
- K – SB 430 and SB 699, written testimony, Bradley Witt, 7 pp**
- L – SB 430, written testimony, Cameron La Follette, 1 p**
- M – SB 430 written testimony, David Williams, 1 p**
- N – SB 430, and SB 699, written testimony, Jeff Merrick, 3 pp**
- O – SB 430, written testimony, Daniel Hall, 2 pp**
- P – SB 430 written testimony, Jeffrey Birmingham, 2 pp**
- Q – SB 430 and SB 699, written testimony, Pam Birmingham, 3 pp**
- R – SB 430, written testimony, David Gabrielsen, 2 pp**
- S – SB 430, written testimony, Ralph Appoldt, 1 p**
- T – SB 430, written testimony, Kelly Harrison, 1 p**
- U – SB 430, written testimony, George Wuerthner, 1 p**