

Good Morning, Chair Imeson, Members of the Board, State Forester Decker. For the record my name is Seth Barnes, I am the Director of Forest Policy for OFIC. The Department has prepared for you a simplified comparison of neighboring state riparian buffers for timber harvest. I want to take a moment to highlight a few points that in my opinion didn't receive enough attention in this comparison.

In the ODF staff write up it states "It is important to note that Idaho, California, and Washington have different... regulatory frameworks... for their respective rules". I would state that insofar as a person is comparing these "regulatory frameworks" you need to do more than simply NOTE those differences, in fact they are foundational. These differences were deliberate actions taken by Oregonians over a series of years, even decades. Created in concert with innovative citizens, legislative bodies, elected officials, as well as past members of this very board, these differences come together to form what we refer to as "The Oregon Way". This system is uniquely ours.

At the risk of preaching before the choir, I would like to remind you briefly of the foundational components of this system. The first aspect to highlight are the statewide land use laws. Often this aspect is overlooked as the comparisons narrow to looking only at buffers for example. However the differences are stark, one need only take a short drive in any direction out of town to see the impact of those laws. Like many of you, I grew up in Oregon, but have lived in and visited other states. The comparison is drastic as you see the urban sprawl stretch for miles between towns and cities. Oregon wildlife and aquatic species don't live these realities. In our state wildlife benefit from forestlands that are more firmly protected from urban sprawl and development. Make no mistake, these impacts are real*, and Oregon's decision to restrict landowner decisions in this way marks a significant investment in maintaining these working forests**. This is a pillar in the Oregon Way.

The next component involves voluntary contributions from landowners across the state. Originally crafted to address the needs of Coho Salmon, the Oregon Plan has become a staple for watershed councils and forest landowners across the state as a means to work together collaboratively to address local concerns regarding fish migration and habitat. OWEB reports that through 2011 more than \$96 million have been donated through this effort from private forestland owners.

*see Attachment A

**Net Shift to developed uses (1994 – 2006) = Washington 464,000 acres, Oregon 102,000 acres.

Governor Kitzhaber's Vision for a Healthy Environment & Strong Rural Economy. *Healthy Environment Budget Overview, 2015-2017*.

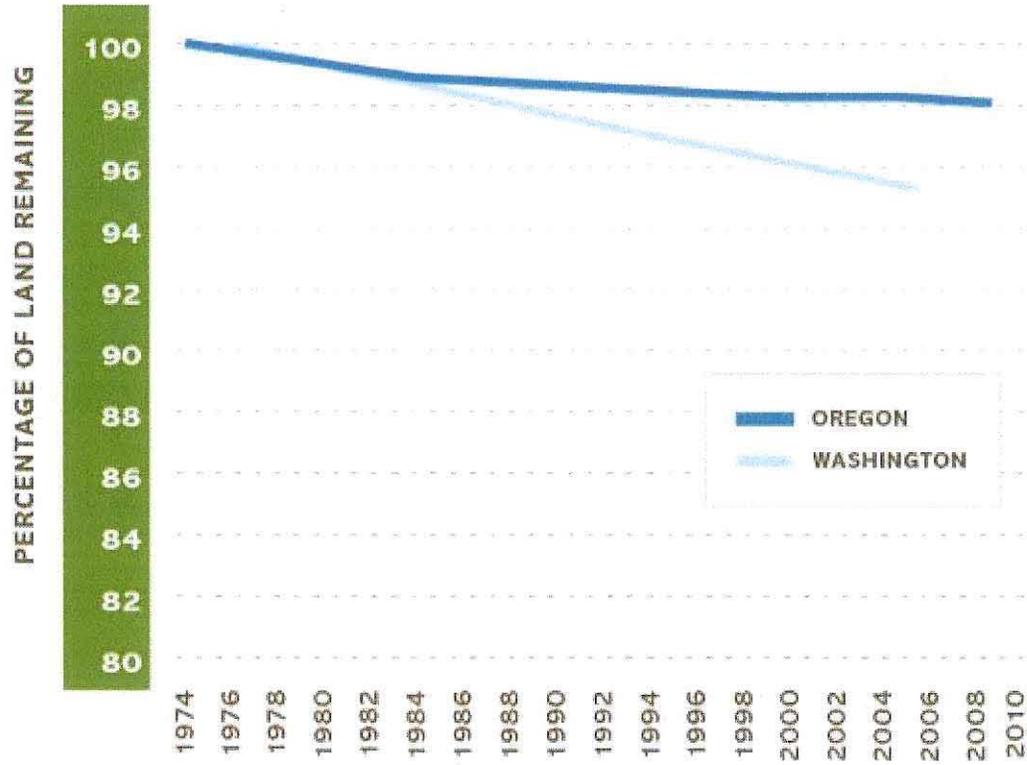
- Over 3,000 miles of forest roads improved
- Approximately 8,000 culverts and bridges improved to accommodate high flows
- Nearly 600 Large Wood placement projects completed

These contributions are real and they matter.

The last component of this framework is the Oregon Forest Practices Act and the strong commitment*** of adherence by Oregon landowners. This commitment stems from the conceptual framework of the entire system; strong land use laws, voluntary measures, and a Forest Practices Act anchored in science. A strong measure of trust and cooperation has developed in large part because of this “framework”; that is the Oregon Way.

By comparing stream rules in neighboring states without also comparing the entirety of their regulatory framework, you risk discounting the large commitments already made by Oregon’s landowners. This will, in turn, drive you toward over-protective stream rules, at the landowners’ expense. Please keep in mind these commitments during your deliberations today.

Forest loss: Oregon vs. Washington



Courtesy of the Oregon Forest Resources Institute



Monitoring Oregon's Forestry Laws

Compliance Audit - Do the laws work?

Overview

*The Oregon Department of Forestry's (ODF) statewide audit regularly measures landowner and operator compliance with Oregon's Forest Practices Act. These laws govern forestry operations based on up-to-date, sound science to protect natural resources. The legislature directed ODF to contract for independent third-party auditors do these audits. The first audit, completed in 2013, showed a **96% compliance rate**.*

What it does?

The Compliance Audit creates a general statewide report about how well people follow the Oregon Forest Practices Act laws. It is designed to provide an overall view rather than a report on individual landowners' performance. It also provides an opportunity to:

- Identify training needs to improve compliance;
- Assess whether the Department uniformly applies the laws throughout Oregon;
- Support forestry certification programs;
- Help shape ODF's adaptive management process, and
- Ensure the Act is properly implemented to achieve its intent - protect natural resources.



Measuring Success

The 2015 audit will measure compliance with the forest road construction and maintenance, and timber harvesting laws. Specifically, the audit will examine forest operation planning, harvesting near streams and waterways, and protecting water.



Monitoring Oregon's Forestry Laws

Where will the data be gathered?

The data samples will come from across the state. The auditors, working independently under a contract, typically sample about 100 harvest units. The units are randomly selected from voluntary participants across the state to give a statewide perspective. The sampling reflects a mix of private-sector industrial forests, small-acreage or family forest ownership, and other non-federal publicly owned lands.

Samples only include lands where ODF received a Notification of intent to do forestry work within the two years before the audit. All forestry activities require a Notification, except some limited activities like gathering firewood for personal use. Some sample units may not contain data about all the laws identified for the particular audit. Successful audits require voluntary landowner participation and permission to access the land.



Do auditors enforce the laws?

No, auditors only gather field data related to the topics being audited for compliance – they don't have enforcement authority. Other people analyze the data to determine rule compliance. To allow for future monitoring audits and sampling integrity the audit remains separate from enforcement, education, and prevention efforts. ODF Stewardship Foresters enforce the Forest Practices Act laws.

What if a violation is found?

ODF highly values education and voluntary compliance. When the audit reveals circumstances that require additional attention, they are referred to the local ODF office.

More information:

Paul Clements, Compliance Training Coordinator
503-945-7475
Paul.R.Clements@oregon.gov