

Senate Bill 345

Sponsored by COMMITTEE ON ENVIRONMENT AND LAND USE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs State Board of Forestry to establish permanent conservation reserves on state forestlands.

Designates certain forestlands in Tillamook and Clatsop Counties as permanent conservation reserves.

A BILL FOR AN ACT

1
2 Relating to permanent reserves of forestlands; creating new provisions; and amending ORS 530.010
3 and 530.050.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 530.010 is amended to read:

6 530.010. (1) The State Board of Forestry, referred to in this chapter as the board, in the name
7 of the State of Oregon, may acquire, by purchase, donation, devise or exchange from any public,
8 quasi-public or private owner, lands which by reason of their location, topographical, geological or
9 physical characteristics are chiefly valuable for the production of forest crops, watershed protection
10 and development, erosion control, grazing, recreation, **wildlife habitat, protection of unique re-**
11 **source values** or forest administrative purposes.

12 (2) The board shall not acquire any land without prior approval, duly made and entered, of the
13 county court or board of county commissioners of the county in which the lands are situated.

14 (3) Lands acquired under the provisions of this section shall be designated as state forests.

15 **SECTION 2.** ORS 530.050 is amended to read:

16 530.050. Under the authority and direction of the State Board of Forestry except as otherwise
17 provided for the sale of forest products, the State Forester shall manage the lands acquired pursuant
18 to ORS 530.010 to 530.040 so as to secure the greatest permanent value of such lands to the state,
19 and to that end [*may*] **shall**:

20 (1) Protect the lands from fire, disease and insect pests, cooperate with the counties and with
21 persons owning lands within the state in such protection and enter into all agreements necessary
22 or convenient therefor.

23 (2) Sell forest products from the lands, and execute mining leases and contracts as provided for
24 in ORS 273.551.

25 (3) Permit the use of the lands for other purposes, including but not limited to forage and browse
26 for domestic livestock, fish and wildlife environment, landscape effect, protection against floods and
27 erosion, recreation, and protection of water supplies when, in the opinion of the board, such use is
28 not detrimental to the best interest of the state.

29 (4) Grant easements, permits and licenses over, through and across the lands; also, may require
30 and collect reasonable fees or charges relating to the location and establishment of easements,

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 permits and licenses granted by the state over such lands, which moneys shall be used for the ex-
 2 penses of such location and establishment. Any moneys derived hereunder shall be placed in the
 3 State Forestry Department Account and used exclusively for such purposes.

4 (5) Require and collect fees or charges for the use of state forest roads, which moneys shall be
 5 used for purposes of maintenance and improvements of such roads. Any moneys derived hereunder
 6 shall be placed in the State Forestry Department Account and used exclusively for such purposes.

7 (6) Reforest the lands and cooperate with the counties, and with persons owning timberlands
 8 within the state, in such reforestation, and make all agreements necessary or convenient therefor.

9 (7) Require such undertakings as in the opinion of the board are necessary or convenient to
 10 secure performance of any contract entered into under the terms of this section[,] or ORS 273.551.

11 (8) Sell rock, sand, gravel, pumice and other such materials from the lands[;]. Such sale may be
 12 negotiated without bidding provided the appraised value of such does not exceed \$2,500.

13 (9) Enter into agreements, each for not more than 10 years duration, for the production of minor
 14 forest products.

15 (10) Establish a forestry carbon offset program to market, register, transfer or sell forestry
 16 carbon offsets. In establishing the program, the forester may:

17 (a) Execute any contracts or agreements necessary to create opportunities for the creation of
 18 forestry carbon offsets; and

19 (b) Negotiate prices that are at, or greater than, fair market value for the transfer or sale of
 20 forestry carbon offsets.

21 **(11) Establish permanent conservation reserves for the purpose of protecting unique re-**
 22 **source values on lands acquired pursuant to ORS 530.010 to 530.040, including but not limited**
 23 **to habitat areas for native species, recreation areas, rare plant communities and other**
 24 **unique resource values identified on the lands. The reserves in one county may not exceed**
 25 **10 percent of state-owned lands in that county. The reserves shall be identified and desig-**
 26 **ned by the forester through approval of land management classifications in accordance**
 27 **with board administrative rules.**

28 *[(11)]* (12) Do all things and make all rules, not inconsistent with law, necessary or convenient
 29 for the management, protection, utilization and conservation of the lands.

30 **SECTION 3. The following lands are established as permanent conservation reserves,**
 31 **where no cutting of trees may occur:**

32 (1) **Lands located in the Kilchis River basin of the Tillamook District, commonly referred**
 33 **to as the Chaney deed lands, transferred to the state by Tillamook County in deed numbers**
 34 **161, 168, 169 and 230 and consisting of approximately 1,522 acres.**

35 (2) **All state lands within 300 feet of the aquatic zone, as defined in State Board of**
 36 **Forestry rules, of the following river sections:**

37 (a) **The Wilson River, from its confluence with Kansas Creek upstream to its junction**
 38 **with the South Fork of the Wilson River and the Devils Lake Fork of the Wilson River.**

39 (b) **The Devils Lake Fork of the Wilson River, from its confluence with the main fork**
 40 **upstream to its confluence with Elliott Creek.**

41 (c) **The Kilchis River, from its confluence with Pipe Creek upstream to its junction with**
 42 **the North Fork of the Kilchis River.**

43 (d) **The Trask River, from its confluence with Hatchery Creek upstream to the junction**
 44 **with the North Fork and the South Fork of the Trask River.**

45 (e) **The Salmonberry River, from its confluence with the Nehalem River upstream to its**

1 **junction with Pennoyer Creek.**

2 **(f) The Nehalem River, from its confluence with Lost Creek upstream to the Clatsop-**
3 **Columbia County line.**

4 **(g) The North Fork of the Kilchis River, from its confluence with the main fork upstream**
5 **to its confluence with Western Creek.**

6 **(3) All state lands within 300 feet of the boundary of a state campground, rest area,**
7 **wayside or park located within state lands acquired pursuant to ORS 530.010 to 530.040.**

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