

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 1072

By COMMITTEE ON STATE AND FEDERAL AFFAIRS

July 29

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 17 and insert:

2 “Whereas some of Oregon’s forested lands are increasingly jeopardized by vulnerability to
3 drought stress, the risk of severe insect and disease outbreaks and catastrophic wildfires fed by
4 overstocking and unprecedented accumulation of forest fuels; and

5 “Whereas reducing vulnerability to drought stress and the risk of severe insect and disease
6 outbreaks and catastrophic wildfires is of interest to all Oregon residents; and

7 “Whereas such active forest management may restore structural diversity of forest stands, en-
8 hance wildlife habitat and create other ecological, economic and social benefits; and

9 “Whereas federal and state funds are not sufficient to carry out the management activities
10 necessary to restore forest resilience and reduce the risk of severe insect and disease outbreaks and
11 catastrophic wildfires; and

12 “Whereas suppressing catastrophic wildfires affects federal, state and county treasuries; and”.

13 On page 2, delete lines 8 through 11 and insert:

14 “(2) The State Department of Fish and Wildlife has expertise with fish and wildlife habitat and
15 the Department of Environmental Quality has expertise with water quality. Both departments have
16 an important role to play in the management of federal forests located within the state.”.

17 In line 22, after “lands” insert a period and delete the rest of the line.

18 In line 26, delete “local.”.

19 In line 32, after “(c)” delete the rest of the line and insert “Manage vegetation;”.

20 In line 37, delete “decision-making” and insert “involvement”.

21 On page 3, delete lines 7 through 45 and delete page 4 and insert:

22 “**SECTION 3. The Legislative Assembly finds and declares that:**

23 “(1) **Forestlands in federal, state and private ownership comprise some of the most im-**
24 **portant environmental, economic and recreational resources in the State of Oregon. How-**
25 **ever, federal lands, and to a lesser extent state and private lands, are increasingly**
26 **jeopardized by the risk of drought-induced mortality, severe insect and disease outbreaks and**
27 **catastrophic wildfires.**

28 “(2) **Enhancing forest health, wildlife habitat and other ecological values and reducing the**
29 **risk of severe insect and disease outbreaks and catastrophic wildfires through forest man-**
30 **agement are of interest to the residents of this state. Federal and state funds have not**
31 **proved sufficient to carry out the management activities necessary to achieve these goals**
32 **on federal lands, and it is unlikely that the funds will be available on a continuous basis.**

33 “(3) **The development of new market-based solutions to reduce the risk of severe insect**
34 **and disease outbreaks and catastrophic wildfires may reduce the requirement for public**
35 **funding. The development of biomass markets, including energy markets, that use forest**

1 biomass unsuitable for lumber, pulp and paper products as a primary source of raw material
2 may assist in the creation of a sustainable, market-based model for restoring complexity and
3 structure to Oregon's forests.

4 "(4) A biomass-based industry may provide a renewable source of energy, reduce net
5 greenhouse gas emissions, reduce air pollution from wildfires, improve fish and wildlife
6 habitat, create jobs and provide economic benefits to rural communities. Through the col-
7 lection and conversion of forest biomass, ancillary benefits may be realized through the im-
8 provement in forest health, the protection of infrastructure and the stabilization of soils
9 within critical watersheds.

10 "(5) The collection and conversion of forest biomass diminishes fuel loads and is an
11 ecologically and economically sustainable practice where the reintroduction of fire is not
12 appropriate.

13 "(6) The policy of this state is to support efforts to build, and place in service, biomass-
14 fueled energy production facilities that utilize biomass collected from forests or derived from
15 other sources such as agricultural crop residue when:

16 "(a) The facilities utilize sustainable supplies of biomass from cost-effective sources;

17 "(b) The use of woody biomass for energy maintains or enhances the biological produc-
18 tivity of the land, taking into consideration transportation costs, existing forest conditions,
19 management objectives, vegetation growth rates and the need to sustain water quality and
20 fish and wildlife habitat; and

21 "(c) The set of forest values to be sustained, in addition to wood and biomass for energy,
22 is considered. Forest values include forest products, water, wildlife and recreation.

23 "(7) As used in this section and section 4 of this 2005 Act:

24 "(a) 'Biomass' means any organic matter, including woody biomass, agricultural crops,
25 wood wastes and residues, plants, aquatic plants, grasses, residues, fibers, animal wastes,
26 municipal wastes and other waste materials.

27 "(b) 'Woody biomass' means material from trees and woody plants, including limbs, tops,
28 needles, leaves and other woody parts, grown in a forest, woodland, farm, rangeland or
29 wildland-urban interface environment that is the by-product of forest management,
30 ecosystem restoration or hazardous fuel reduction treatment.

31 "SECTION 4. In furtherance of the policy established in section 3 of this 2005 Act, the
32 State Forester shall:

33 "(1) Establish a policy of active and inclusive communication with the federal govern-
34 ment, public bodies as defined in ORS 174.109, residents of Oregon and interested parties
35 regarding the utilization of woody biomass produced through forest health restoration. The
36 State Forester shall actively utilize the statutory provisions of the National Forest Manage-
37 ment Act of 1976, the Forest and Rangeland Renewable Resources Planning Act of 1974, the
38 National Environmental Policy Act of 1969, the Federal Land Policy and Management Act of
39 1976 and the Healthy Forests Restoration Act of 2003 that allow the state to participate in
40 federal policy development in a manner that expresses the policy established in section 3 of
41 this 2005 Act.

42 "(2) Promote public involvement in the identification of the areas of interface between
43 urban lands and forestlands that pose the highest potential to threaten lives and private
44 property.

45 "(3) Promote public understanding, through education and outreach, of forest conditions,

1 forest management options, the potential benefits of woody biomass utilization, the quality
2 and quantity of woody biomass on federal lands and the potential for woody biomass utiliza-
3 tion to assist in reducing wildfire risk and in enhancing forest health, diversity and
4 resilience. The State Forestry Department may coordinate with the State Department of
5 Energy, the Economic and Community Development Department, Oregon State University,
6 the State Department of Fish and Wildlife, the Department of Environmental Quality and
7 other entities in any education and outreach performed pursuant to this subsection.

8 “(4) Allow the State Forestry Department to conduct inventories of the types of woody
9 biomass available and to serve as an information resource for persons seeking to utilize
10 woody biomass for energy development.

11 “(5) Promote public understanding that woody biomass utilization may be an effective
12 tool for restoration of forest health and for economic development in rural communities.

13 “(6) Develop and apply, with advice from the forestry program at Oregon State Univer-
14 sity, the State Department of Fish and Wildlife, the Department of Environmental Quality
15 and other sources, the best available scientific knowledge and technologies pertaining to
16 forest and wildlife habitat restoration and woody biomass utilization when developing rules
17 under ORS 527.630.

18 “(7) Seek opportunities to provide a source of woody biomass from federal, tribal, state
19 and private forests.

20 “(8) Prepare a report, in conjunction with the preparation of a strategic plan for the
21 State Board of Forestry, utilizing, to the extent practicable, data collected from state and
22 federal sources that specify the effect of woody biomass collection and conversion on the
23 plant and wildlife resources and on the air and water quality of this state. The report shall
24 identify any changes that the State Forester determines are necessary to encourage woody
25 biomass collection and conversion. The State Forester shall submit the report to the Gov-
26 ernor and to an appropriate legislative interim committee with jurisdiction over forestry is-
27 sues.”.

28 On page 5, delete lines 1 and 2.
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