



**Comments on Landslides and Public Safety Rule Changes
Agenda Item #6**

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Testimony to the Board of Forestry
November 7, 2008

Members of the Board,

Thank you for the opportunity to comment on the proposed changes to the landslide and public safety rules. I represent a landowner that has significant exposure to naturally-occurring landslide geology, particularly in the area known as the Tyee Core.

Roseburg Forest Products is committed to ensuring public safety and reducing landslide risks to humans by meeting and, in some cases, exceeding Forest Practices Act standards. Often, there is a perceived liability that is unfairly placed on upslope landowners when landslides happen. This perception exists even when no recent harvest or other management activity has occurred.

Landslides are a natural occurrence. They will occur whether management activity is present or not. Therefore, the risk to public safety cannot be eliminated through rules that restrict management of forestlands. The only thing that forest landowners can do with this natural liability is minimize activities around potential initiation points.

As a result of Roseburg's commitment to public safety, we have voluntarily declined to maximize the harvest potential in known initiation areas. We have chosen to retain all trees in and around the initiation areas on intermediate risk sites in Exposure Category A (above inhabited structures). Given our current conservative approach to these sites, we are fully supportive of the proposed change to the rule for this Exposure Category.

However, the proposed rule change would also affect Exposure Categories B and C. We believe that this change would unnecessarily restrict activities in these areas of low public safety risk. Since the 1996 floods and subsequent studies, circumstances regarding Categories B and C have changed. **Therefore, we believe that the rule deserves a thorough review to ensure that the objectives of public safety are still being met without unnecessary restrictions and the level to which shared responsibility promised in Senate Bill 12 and, subsequently, in ORS Statute 195.250-260, is being met.**

We continue to be concerned that the State and the Counties are risking human life by not meeting their mandate of shared responsibility. Houses and other structures continue to be built directly in the path of future debris torrents. This avoidance of responsibility also magnifies the perceived upslope landowner liability to public safety while restricting activities.

I want to thank the Department staff for their recommendation to consider sufficient alternatives to the current prescriptive rule. Working with stakeholders to refine this rule will ensure that unnecessary restrictions and unintended consequences are avoided.

Thank you for considering these comments.

A handwritten signature in black ink that reads "Eric A. Geyer". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Eric Geyer, Forester
Roseburg Forest Products