

ED DIEHL
STATE REPRESENTATIVE
DISTRICT 17
MARION/LINN



HOUSE OF REPRESENTATIVES

April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board:

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

I also urge the Oregon State Land Board to delay the approval of the management proposal to allow more time for input from the citizens of Oregon.

Sincerely,

Ed Diehl
State Representative
Oregon House District 17

From: [Donna Bleiler](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Objections to the Process of Implementing the ESRF Governance Structure
Date: Sunday, April 7, 2024 6:40:09 PM

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April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholder's voices can be heard and ample consideration be given to the revised bylaws for the ESRF Board of Directors as proposed by Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL).

It is detrimental that ESRF's board is filled with people who have experience in forestry science and active forest management. It is also important that the board operates independently of political influence, aligning with the need for science-led research in order for it to achieve the desired reputation of a world class research forest.

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure, which OSU has rejected, and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Thank you for doing what is best for Oregon and not one political party,
Donna Bleiler



Dr. Dave Sullivan, President
12875 Kings Valley Highway
Monmouth, OR 97361
drdavesullivan@gmail.com
541-791-6470
April 6, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Oregon State Land Board Trustees:

Subject: Response to Action Item #6 – Proposed Bylaws for the Elliott State Research Forest (ESRF) Board of Directors

As the President of Oregon Advocates for School Trust Lands (OASTL), I express our concern regarding two issues: the proposed "decoupling" of the Elliott State Forest from the Common School Fund, and the unnecessarily urgent process for adopting a new oversight structure for the Elliott State Research Forest (ESRF).

First, OASTL is gravely concerned by the State Land Board's attempt to decouple the Elliott State Forest from the Common School Fund for a fraction of its value. With over 3.5 billion board feet of standing timber valued at over \$1 billion in the current market, the State Land Board's proposed sale of the forest for \$221 million is not only financially imprudent but also violates the commitments made to the U.S. Government and Oregon's citizens when Oregon was granted statehood. This move is both morally questionable and a disservice to schoolchildren.

Second, we are deeply troubled by the State Land Board's rapid push to finalize the ESRF's governance, especially considering the recent withdrawal of Oregon State University from the previous structure. The notice distributed on April 2nd with a proposed governance for April 9th State Land Board decision gives only one week for public review. No other meetings have been available to collect ideas about this governance plan. This hurried process denies citizens and organizations like OASTL the chance to prepare alternative proposals or provide informed comments. We question the necessity of such speed in deciding the long-term future management of the ESRF.

Moreover, we strongly object to the DSL's proposed governance structure, which seems poised to repeat past mistakes by retaining DSL as the managing body and continuing its role in nominating board members.

As an alternative, OASTL has crafted a set of bylaws (outlined in Appendix A). These bylaws are designed to be concise yet comprehensive, encapsulating all the necessary governance aspects without the over-complication seen in DSL's proposal.

The wisdom in historian John M. Barry's observation, "When you mix science and politics, you get politics," is pertinent to our concerns. The DSL's current approach risks repeating past errors by retaining itself as the managing body and continuing as the organization that nominates board members. This structure has already led to limitations that prompted Oregon State University to withdraw from the ESRF, citing constraints on conducting authentic scientific research.

The need for professional expertise in managing a research forest cannot be overstated. It is akin to the critical importance of having an experienced oncologist treat cancer, rather than deferring to a lawyer specializing in medical malpractice. In this light, the ESRF needs a board comprised of individuals with hands-on experience in forestry science and forest management, not a board packed with environmental activists and lawyers as has been the case with previous Elliott State Research advisory boards. Our proposed bylaws in Appendix A reflect the need for a board selected from candidates recommended by professional and tribal organizations deeply knowledgeable in forestry science and active forest management.

This approach promises to create a board that is not only informed and experienced but also capable of balancing scientific integrity with practical forest management. By adopting these bylaws, the State Land Board would be taking a crucial step towards a more effective, science-driven management of the Elliott State Research Forest.

Sincerely,

Dave Sullivan

Dr. Dave Sullivan, president, OASTL



Elliott State Research Forest (ESRF) Board of Directors Bylaws

1. Purpose:

The ESRF Board is established to guide the management of the Elliott State Research Forest, ensuring that board members have demonstrated experience at forest management and overseeing scientific research. Because science and politics do not mix well – *if at all* – a key objective of these bylaws is to ensure the board operates free from political influence.

2. Board Composition and Appointment:

- The Board consists of seven to nine voting members.
- Candidates for potential board members should be recommended by either the Society of American Foresters, the Oregon Small Woodlands Association, Tribal governments, or the lead research entity to the ESRF.
- The Oregon Forest Resources Institute shall appoint ESRF board members from the candidate lists.
- The appointment process shall prioritize candidates with proven experience in overseeing forestry science or conducting active forest management.

3. Roles and Responsibilities:

- Create a forest management plan that prioritizes scientific research and producing revenue for the Common School Fund.
- Ensure the integration of forest management with scientific research objectives.
- Oversee operational and fiscal aspects of the ESRF.

4. Meetings and Decision Making:

- The Board will meet at least four times per year.
- The Board will facilitate public engagement, maintaining transparency in its operations and decision-making processes by following Oregon’s Open Meeting Laws.
- The Board will report biennially to the State Land Board, providing updates on the ESRF’s progress and challenges.

5. Amendments to Bylaws:

These bylaws can be amended with the approval of a majority of the Board members and the subsequent approval of the State Land Board.

From: [NANCY HATHAWAY](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws
Date: Monday, April 8, 2024 9:51:59 AM

You don't often get email from nancyhath@comcast.net. [Learn why this is important](#)

Nancy R. Hathaway
nancyhath@comcast.net
541-758-5510
April 7, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws
I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

I also object to the one-sided appointment of the governance structure. When one party controls the outcome, there is rarely an opportunity for alternative thoughts to be heard. My experience is that very few lawyers and activists have hands-on experience working in the woods, planting, harvesting, as well as making short and long term management decisions.

The State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management.

I personally have used the advice, research, and experience of OSU scientists, Extension Agents, and fellow timber growers to guide my journey in growing timber. These knowledgeable folks would ensure the board operates independently of political influence, aligning with the need for a science-led research forest.

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Nancy R. Hathaway

Private Timber Owner

Rosswood LLC

Benton County Tree Farmer of the Year 2009



OREGON HOUSE OF REPRESENTATIVES

Representative Emily McIntire
House District 56

April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard. Furthermore, what is the current structure and governance model in place to complete public engagement? What is the proof that you have completed adequate engagement?

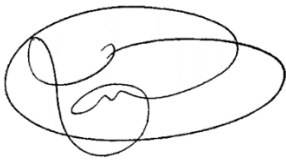
As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Address: 900 Court Street NW, H-379, Salem, OR 97301 – Phone: (503)986-1456
District: PO Box 351 Eagle Point, OR 97524 – Phone: (541)326-7847
Rep.EmilyMcIntire@oregonlegislature.gov

As well as, we currently have a crisis in our state in regard to education. Districts are laying off teachers and staff at an alarming rate due to lack of funding from the state. The state, with all its other obligations, is struggling to fund education at the level it currently needs. There are numerous discussions about this! To remove the ability of this forest to be a productive and contributing piece of land for this state, country, and our schools- would be devastating to our current public education system. Our state simply will not be able to afford to make up the difference in this. I urge you, please reconsider your actions here. Our children are at stake.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily McIntire". The signature is written in a cursive style with several loops and flourishes.

Representative Emily McIntire
Member
Oregon House of Representatives

From: [Greg Peterson](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws
Date: Sunday, April 7, 2024 6:42:29 PM

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April 7, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express my concern about your proposed process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL), which calls for a decision by April 9th, severely limiting meaningful public engagement and expert testimony. There is so little time available, so I am sending this to you on Sunday and would very much like the opportunity to provide expert testify as an Environmental Engineer.

I have seen no rationale to support the expedited timeline imposed for adopting the ESRF's governance structure, without public comment. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process, so all stakeholders' voices can be heard.

I also object to one political party appointment of the governance structure. When one party controls the outcome, there is no opportunity for other voices or alternatives to be considered. My five decades of project management experience has repeatedly shown that very few lawyers and activists have hands-on experience working in the woods, planting, harvesting, as well as making short and long term management decisions on natural resource land and thus are hard pressed to make workable decisions.

The State Land Board should also take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management.

I have often used the advice, research, and experience of OSU scientists, Extension Agents, and fellow timber growers to guide my journey in growing timber. Such knowledgeable folks would ensure the Board operates independent of political influence, and aligns with the needs of a science-led research forest.

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon citizens and rural communities.

Sincerely,

Greg Peterson PE

Corvallis, Ore

peterseengineering@comcast.net

541-905-6854

Private Timber Owner

From: [Mark Noah](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: re: April 9 meeting, agenda item #6
Date: Sunday, April 7, 2024 1:23:47 PM

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To: the members of the State Land Board

From: The Oregon State Grange

The delegates to the Oregon State Grange convention in June 2023 adopted a resolution that recommends the State Land Board establish an Oregon Forestry Academy in association with the Elliott Research Forest, to provide young Oregonians who have a passion and talent for forestry with an opportunity to acquire up-to-date, ecologically informed forestry skills by working alongside the world's top forest researchers.

Thank you for the opportunity to provide testimony on this issue.

--

Mark Noah
Oregon State Grange
Legislative Director
(c) 541 953-4155

OSG Office: 503 316-0106

DICK ANDERSON
STATE SENATOR
DISTRICT 5



OREGON STATE SENATE

April 8, 2024
Oregon State Land Board
Care of landboard.testimony@dsl.oregon.gov
Dear Trustees of the Oregon State Land Board,

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration could represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

I am concerned that the timeline imposed for adopting the governance structure is a very short one. This short timeline limits meaningful public engagement.

Respectfully,

A handwritten signature in black ink that reads "Dick Anderson". The signature is written in a cursive style with a long horizontal flourish underneath.

Dick Anderson
State Senate District 5

900 Court St.
NE, S-303,
Salem, OR
97301 - (503)
986-1705 -
sen.dickanderso
n@oregonlegisl
ature.gov

From: [snwood1](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Elliot State Forest
Date: Monday, April 8, 2024 9:14:35 AM

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I would like to comment before decisions are made. My input is aligned with the rejection of OSU participation recently. One hang up was no buy in from the local Coos tribe. I feel we must harvest from the 40000 acres of plantation. I feel ALL income developed go to our Oregon schools, not a penny more to academics and environmental lawyers. Also active harvesting will reduce the inevitable catastrophic fires if nothing is done soon. Sitting on our hands like we have for 20 or 30 years is ridiculous
Stephen Wood, Oregonian, Roseburg

Sent from my U.S.Cellular© Smartphone



Oregon Websites and Watersheds Project, Inc.

www.ORWW.org

April 9, 2024

TO: Tina Kotek, Oregon Governor
LaVonne Griffin-Valade, Oregon Secretary of State
Tobias Read, Oregon State Treasurer

RE: Oregon State Land Board Action Item #6: Elliott State Forest

Oregon Websites and Watersheds Project, Inc. (ORWW) is strongly opposed to further continuation of Department of State Land's (DSL's) documented mismanagement of the Elliott State Forest under the direction of an inexperienced advisory committee with a stated anti-logging agenda. Instead, we believe that management of the Elliott be the responsibility of local businesses, Tribes, and elected officials as described in the attached "ORWW Giesy Plan Option," and managed on behalf of the Common School Fund, as dictated by State Law.

ORWW is a 501 c(3) nonprofit educational website that was founded in 1996 and has been continuously online and working with Oregon students and teachers since January 1997. We have been directly involved with the Elliott State Forest for the past nine years and have offered public testimony to the State Land Board on several occasions regarding its ownership and management. Our work with Southwest Oregon Community College (SWOCC) forestry students during this time has also resulted in two detailed ORWW Elliott State Forest educational websites and a playlist of more than a dozen educational Elliott videos on our ORWWmedia YouTube channel.

For several decades in the late 1900s the Elliott harvested 50 mmbf of timber/year, creating more than 400 local taxpaying jobs and hundreds of millions of dollars for the Common School Fund. An environmental lawsuit in 2012 and DSL mismanagement since that time has eliminated those jobs, cost the Common School Fund millions in debatable legal fees and carbon credit promotions, and devolved into endless meetings regarding HCPs, FMPs, the ESA, NOAA, ODF, USFWS, and etc. -- and zero sales.

The proposed 2024 ORWW Giesy Plan Option offers a comprehensive and innovative approach to managing the Elliott State Forest. This plan integrates economic, environmental, and educational objectives to address the longstanding "Timber Wars" in the Pacific Northwest and was first proposed to the State Land Board in 2017 as the "ORWW Giesy Plan Alternative" to selling the Elliott at a fixed, artificially low price:

http://www.orww.org/Elliott_Forest/Research/Giesy_Plan/.

The following summary and support statement of the Giesy Option focuses on key components of the proposal, such as maintenance of historic roads, plantation restoration, stream buffer research, income generation for the Common School Fund, job creation, and forestry education. An important distinction of the plan is that it is designed to last only 20 years -- after which time an entire generation of well-educated and experienced Oregonians can make a better plan for their own desired futures going forward.

Maintenance of 550 Miles of Historic Roads

- * Objective: Enhance access for research, education, management, and recreation while preserving the forest's history and cultural heritage.
- * Plan Details: Prioritize mapping, signage, video documentation, and maintenance of these historically significant roads and trails to support public access, mitigate wildfire risks, and provide opportunities for local employment to perform these tasks.

Restoration of 40,000 Acres of Plantations

- * Objective: Transform monoculture plantations into diverse, productive landscapes that support wildlife, preserve history, and consider future generations.
- * Plan Details: Systematically clearcut older plantations for economic gain, followed by thoughtful reforestation to enhance biodiversity and adapt to evolving social and ecological values.

Stream Buffer Research and Habitat Conservation Plans (HCPs)

- * Objective: Investigate the effects of different forest management practices on stream health and fish populations, contributing to informed HCP development.
- * Plan Details: Focus on comparative research between areas with permanent stream buffers and those temporarily without, to understand impacts on water quality and aquatic life. This could inform HCPs by providing scientific evidence on the efficacy of buffer zones

Income for the Common School Fund

- * Objective: Generate substantial revenue for Oregon's schools through sustainable timber harvesting.
- * Plan Details: By harvesting an average of 50 million board feet of timber per year from less than 40% of the forest's land base, the plan projects over \$460 million in revenue over 20 years, supporting the Common School Fund and demonstrating a sustainable approach to forest management.

Creation of Local Jobs

- * Objective: Support rural economies by creating direct and indirect employment opportunities through active forest management.

* Plan Details: The plan's implementation, including road maintenance, plantation restoration, salvage logging, recreation management, and research activities, is expected to create over 430 full-time jobs in Coos and Douglas counties, contributing to the local economy and providing stable, family-wage incomes.

Forestry Education

* Objective: Utilize the forest as a living classroom for Oregon K-12 students, college students, and adult learners, promoting an understanding of sustainable forestry practices and providing multiple opportunities for student employment.

* Plan Details: The plan envisions field trips, research projects, and distance learning opportunities facilitated by the maintained road network and diverse forest management areas. This hands-on approach aims to educate the next generation on the complexities of forest management and conservation.

Support Statement



The 2024 ORWW Giesy Plan represents a forward-thinking model for forest management that balances the needs of economic development, environmental conservation, and educational enrichment. Through its comprehensive approach to maintaining historic roads, restoring plantations, conducting crucial stream buffer research, generating significant income for educational funding, creating local jobs, and emphasizing forestry education, the plan sets a precedent for how public forestlands can be managed to meet diverse objectives. It offers a pragmatic solution to the enduring conflicts over forest resources by demonstrating the feasibility of sustainable forestry practices that support local communities, conserve habitat, and educate future generations. This plan not only serves the immediate needs of Oregon's schoolchildren and rural economies but also provides a valuable framework for the stewardship of public lands across the Pacific Northwest and beyond.

Sincerely,

ORWW Board of Directors

Russ Sapp, President

Dr. David Sullivan, Treasurer

Dr. Bob Zybach, Secretary/Program Manager

Attachments:

1. ORWW State Land Board Testimony, February 14, 2017 (6 pp.)
2. ORWW State Land Board Testimony, May 9, 2017 (6 pp.)
3. Zybach "ORWW Giesy Plan Option" Article Draft, March 19, 2024 (17 pp.)

Elliott State Educational Forest: The Giesy Plan Alternative

Prepared by Wayne Giesy and Bob Zybach, PhD
Oregon Websites & Watersheds Project, Inc.
February 14, 2017

During the past three decades the Pacific Northwest has been involved in the “Timber Wars”: pitting loggers, their families, and traditional forestry practices against lawyers, federal agencies, and the Endangered Species Act (ESA) near its center. In that time the Elliott State Forest has become a victim of this conflict, having gone from a forest successfully managed to generate annual income for the Oregon School Fund to an unprofitable holding on the verge of being sold.

This proposal is to consider implementing a slightly modified version of the “Giesy Plan” in order to transparently demonstrate the value of such an approach in managing public forestlands. In this proposal the Elliott State Forest would continue in State ownership: it would be actively managed for a minimum 20-year period for Oregon School Fund income, but also be used for important short- and long-term forest management research and education opportunities with significant national forest management implications.

Department of State Lands Director, Jim Paul, has been quoted as saying: “The debate is by no means over, there’s a real conflict here that’s hard to reconcile.” We believe this proposal directly addresses this conflict in a scientific manner that directly benefits Oregon citizens, its schools and schoolchildren for an entire generation.

In today’s notes for the December 13, 2016 State Land Board Meeting, Governor Brown is quoted in the final paragraph as saying:

Governor Brown said that it is appropriate for the Board to have another option . . . and that she calls upon the public to use their creativity, passion and time to pursue options for the Elliott that will craft a solution that will balance public ownership, rural natural resources jobs, conservation and recreational values . . . She said she is adamant about creating jobs, particularly in Coos and Douglas Counties, maintaining public access and preserving endangered species and their habitat. She told the audience that this is their opportunity to bring another option forward and encouraged thoughtful collaboration among everyone.

The proposed “Giesy Plan Alternative” would keep the Elliott in State hands and, first and foremost, immediately result in dozens of full-time local jobs, both direct and indirect; it would promote and enhance public recreational opportunities for the entire forest; it would provide more than 35,000 acres dedicated solely to spotted owls, marbled murrelets and old-growth habitat; it would focus on improving all four native coho runs; and it would scientifically, publicly, transparently – and profitably -- make clear to an entire generation of Oregon students, teachers, and interested citizens what the key differences and quantified results are when managing a forest for profit vs. managing it for old-growth habitat. This plan would also provide an excellent demonstration of potential management options of other publicly-owned forests in the western US.

Purpose and Background

The basic purpose of this plan would be to publicly demonstrate, document, and quantify the economic and ecological advantages and disadvantages of differing forest management philosophies. Intended audiences and participants for implementing this proposal include Oregon students, teachers, interested citizens, elected officials, and federal land managers.

As a general background, the Giesy Plan is a long-standing and well-known proposal by forester Wayne Giesy for better managing federal forestlands in the western US. This idea has been seriously discussed at high levels in recent years by elected officials and forest industry representatives. Prior to his unexpected resignation, it was being strongly considered for introduction (as the “Oregon Plan”) by Governor John Kitzhaber, Chair, to the 2015 Western Governor’s Conference: www.ORWW.org/Awards/2013/SAF/Wayne_Giesy/Oregon_Plan

Basic Giesy Plan Proposal

Divide the 80,000+ acres of the Elliott State Forest into 24-30 forested subbasins of 1,000 to 5,000 acres each (see Map 1), with contiguous polygons outlining the fish-bearing streams, floodplains, and riparian roads as a separate consideration (Map 2). The forested subbasins would be evenly divided by acreage into two categories: 1) active forest management for maximum State School Fund income, as originally described by law, and 2) old-growth wildlife habitat, with a focus on listed ESA species. The excluded riparian areas would be managed separately, as a third category, for native fish, freshwater, recreation, and road access.

Each of these three divisions would be closely monitored by Oregon students and educators for a 20-year period, with specific focuses on economics, aesthetics, wildlife populations, recreational uses, and wildfire mitigation. Field trips and student research projects would be encouraged, and the entire forest and these topics would be closely monitored and documented by modern technical means with all observations and findings transparently shared via Internet.

- 1) All existing ridgeline and riparian roads would remain open to public access, with some daily and/or seasonal restrictions due to maintenance, repair, recreational events, or harvesting actions;
- 2) More than 40% of the land would be dedicated to old-growth forest habitat, and entire 100% of the forest would provide excellent habitat for a wide range of native forest wildlife species;
- 3) More than 40% of the land would be managed for maximum short-term and long-term revenue to the Oregon School Fund;
- 4) All of the Forests’ subbasins would be scientifically and transparently monitored so that the general public, in addition to Oregon students and teachers, could directly participate in -- and benefit by -- comprehensive economic and ecological analyses of the differing management approaches and results: www.ORWW.org/Wildfires/Biscuit/Civic_Science;
- 5) Litigation regarding the management of the forest would be banned for 20 years, by legal and political agreement, while this educational management experiment takes place.

Assuming this proposal is adopted, at the end of 20 years Oregon would have a very well informed citizenry, capable of making expert decisions regarding Elliott Forest management in following years; as well as able to help make better informed plans regarding management of regional federal forests from the start.

The Giesy Plan provides immediate income to schools (in which guided students might invest long-term as part of their learning experience?), immediate jobs for the local community, and real-life research and educational opportunities monitoring and documenting the three separate management approaches and decisions being made on the students' "own" forestlands.

Concerns With Existing Proposal To Sell Elliott

It is estimated that existing timber on the Elliott State Forest is worth "at least" \$600 million. Other estimates place the market value of combined land and timber at over \$1 billion. The existing sales price — based on arbitrary evaluation restrictions by the State Lands Board — is only \$220 million. If this sales amount is accepted, there will be an apparent and permanent loss in value to the Oregon School Fund of at least \$380,000,000, and possibly much more over time.

This would be in addition to lost opportunities, via the Giesy Plan alternative, for short- and long-term Oregon student and public research and education benefits.

However, recent Elliott Forest financial losses of the past few years — which are said to have led directly to the current decision to sell it at a fixed cost — are seemingly more than off-set by increased tree growth and potential value during that time. Although the direct and indirect costs of ESA-related litigation have been very high, the recent reduction in profitable harvests has resulted in larger trees of greater value; and even more so when considering their size and rate of growth in ten years when several sales management constraints are lifted.

Comparison of Public Benefits: Sales Proposal vs. Giesy Alternative

The Giesy Plan proposal easily meets or exceeds all of the "public benefit requirements" criteria established by the Lands Board and greatly exceeds the public and School Fund benefits to be derived from a fixed-rate sale to a single bidder:

- 1) The buyer of the property has to allow public access to one-half of the land.
--The Giesy Plan proposal would maintain existing riparian & ridgeline roads for public access to the entire forest.
- 2) Buyer must maintain at least 25 percent of "older forest stands."
--The Giesy Plan would result in more than 40% of the land dedicated to growing and maintaining old-growth trees and habitat.
- 3) Buyer must "preserve" riparian areas with arbitrary "buffers."
--The Giesy Plan would actively manage riparian areas for native fish, water quality, recreation, and road access.

- 4) Buyer must agree to provide 40 direct and indirect full-time jobs for 10 years.
--The Giesy Plan would provide more than 40 direct and indirect full-time jobs in perpetuity.

Summary and Recommendations

Under the Giesy Plan proposal, the Elliott State Forest would be renamed the “Elliott State Educational Forest” for a 20-year period for the specific purposes of: 1) producing steady local jobs; 2) conducting a long-term public experiment to test competing methods of forest management; 3) focusing on recovery and enhancement of four major coho runs in Elliott subbasins; 4) producing income for Oregon School Fund with active management of 1/2 of the Elliott; 5) maintain water quality of Elliott streams; 6) improve forest-based educational and recreational opportunities for Oregon citizens; and 7) maintain and improve old-growth habitat conditions for marbled murrelets and spotted owl habitat on 1/2 of the Elliott.

Riparian Lands. Under the Giesy Plan, riparian areas could be managed by local Tribes with a specific focus on coho recovery -- particularly Tenmile Lakes coho -- water quality, public access, research, education, and potential development of commercial recreational uses.

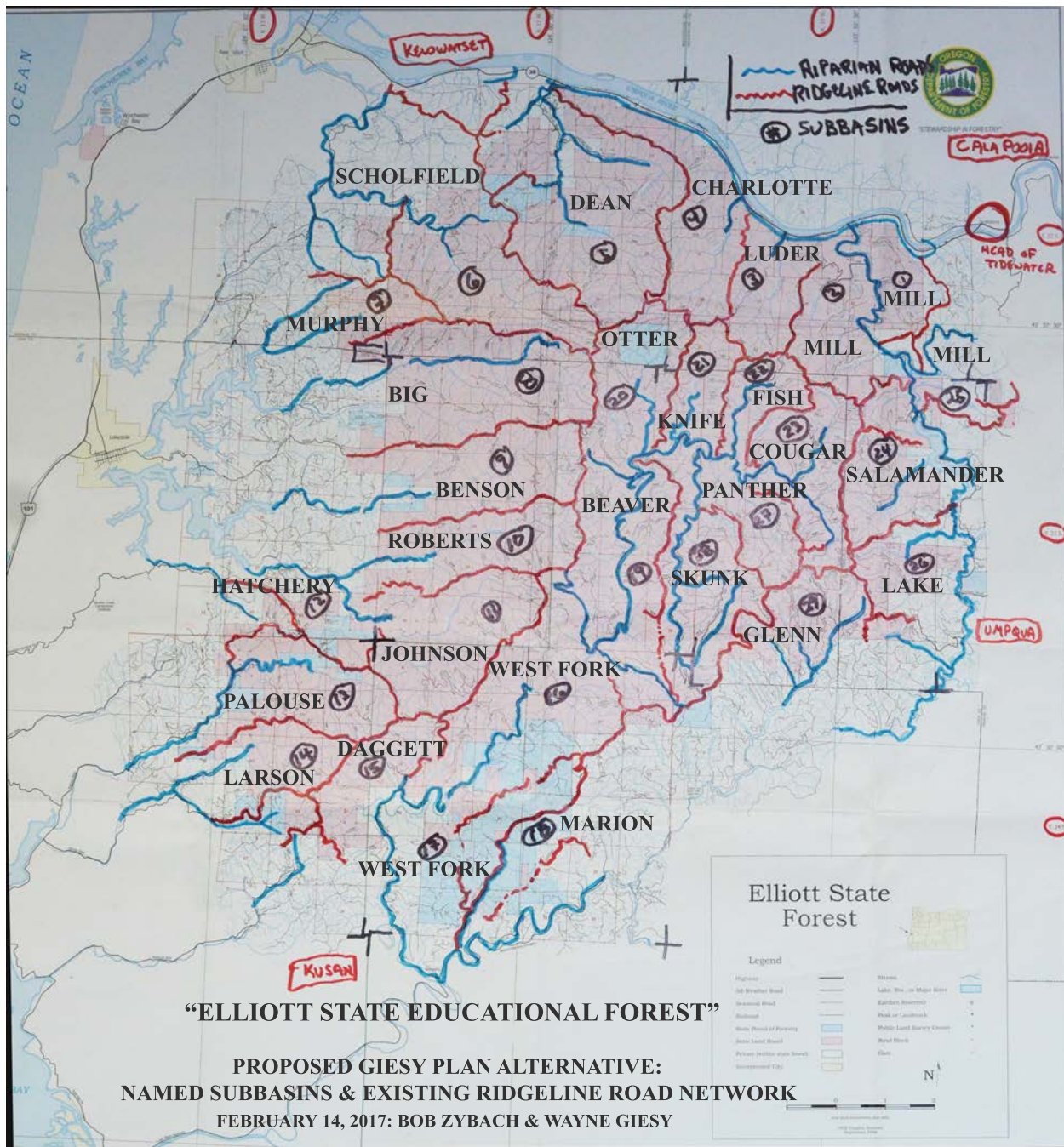
School Fund Lands. Similarly, the economic-based management of select forested subbasins and ridgeline roads could be transparently and profitably managed for purposes of public access, recreation, research, education, and generating revenues for Oregon Schools.

Old-Growth Lands. Subbasins dedicated to old-growth habitat could be collaboratively managed by a coalition of organizations who have filed suits during the recent past regarding management of the Elliott State Forest for listed species, including marbled murrelets and spotted owls. The opportunity to clearly and openly demonstrate – and compare -- their desired management approaches and outcomes would be in exchange for agreeing not to file any additional legal suits regarding the Elliott during this 20-year public management experiment.

.....
This proposal has two attachments. The first is a one-page handwritten note by longtime Elliott Forest Manager, Jerry Phillips, after reviewing this proposal. He is author of the definitive 414-page history of the Elliott (*Caulked Boots and Cheese Sandwiches: A Forester’s History of Oregon’s First State Forest “The Elliott” (1912-1996)*) and begins his book by describing the Forest “in college literature” during the late 1940s as “an undeveloped State-owned forest . . . dedicated to educational purposes.” The book ends in 1996 with his observation “that this Forest is at once both aesthetically pleasing to most all visitors and economically very productive.”

The second attachment was submitted exactly 23 years ago and is specific to Elliott State Forest management plans and politics at that time; from a forest and fire history perspective. This attachment also includes the 1994 Executive Summary of the combined forest industry response, placing this historical information in context to other pro-management perspectives, and as direct background to the current proposal.

www.ORWW.org is a 501 c(3) nonprofit educational website based in Philomath, Oregon since January 15, 1997. It is the principal product of Oregon Websites & Watersheds Project, Inc.



Map 1. Elliott State Forest, featuring existing ridgeline and riparian roads network and 29 suggested subbasins for proposed 20-year scientific comparison of economic- and habitat-based management approaches.



Map 2. There are four principal runs of coho on the Elliott State Forest: 1) the tidewater tributaries of the Umpqua River; 2) Tenmile Creek; 3) Haynes Inlet of Coos Bay; and 4) Millicoma River. Each of these runs is directly affiliated with three historical Indian Tribes: the Kelawatset (Lower Umpqua), Hanis, and Miluk. Tribes were directly connected via foot trails, but principal transport and trade was by canoe, typically within tidal waters.



Oregon Websites and Watersheds Project, Inc.
www.ORWW.org

May 9, 2017

To: Governor Kate Brown, Secretary Dennis Richardson, and Treasurer Tobias Read
From: Wayne Giesy and Bob Zybach
RE: Elliott State Educational Forest: Giesy Plan Alternative

Dear Oregon Land Board Members:

Thank you for your time and consideration in communicating with us in the past several months regarding the potential sale of the Elliott State Forest and our proposal to keep the Forest in public hands and for maximum value possible for our next generation of schoolchildren.

In addition to our February 14, 2017 submission of an outline of this proposal and its maps and two attachments, we have subsequently emailed each of you and your staff two articles regarding the Elliott we published in the current issue of *Oregon Fish & Wildlife Journal*, and a link to our ORWW website containing current and background information on this topic:
http://www.orww.org/Elliott_Forest/

We have also benefited by detailed personal, email, and telephone discussions with you and your staffs about these issues of promised Elliott sale vs. possible alternatives. We would like to add the following email excerpts to the public record regarding our proposal: 1) Senator Ted Ferrioli's string to each of you regarding Christine Broniak's economic estimate for the Giesy Plan, and 2) Steve Elzinga's request for detailed response to last week's proposals.

.....
Email String #1 (Broniak, Ferrioli, Zybach)

On Apr 18, 2017, at 5:02 PM, Bob Zybach wrote:

Hello Governor Brown, Treasurer Read, and Secretary Richardson: This is a follow-up email to Senator Ferrioli's April 14 note containing Economist Christine Broniak's recent analysis of the proposed Giesy Plan alternative to selling the Elliott State Forest. I presented you with an outline of this proposal during the February 14 Land Board meeting and have attached two recently published articles that provide additional details.

Ms. Broniak estimates the Giesy Plan would produce more than \$460 million during its 20-year life by harvesting an average of 50 million board feet of timber per year from less than 40% of the forest's land base. This rate of harvest was maintained for many years in the late 1900s when

the trees were much smaller and the forest contained less volume, is less than the Elliott's annual growth then and now, and is only a small fraction of the forest's 2.5+ billion board feet of standing timber.

By using a widely accepted "multiplier" of 10+ direct and indirect jobs created for each million board feet of harvest, these sales would produce more than 500 full-time jobs for the 20-year period; a figure that could be sustained indefinitely if this proposal were adopted on a permanent basis.

More than 40% of the forest (35,000+ acres) would be specifically dedicated to creating and maintaining "older forest" conditions for targeted wildlife species, including spotted owls and marbled murrelets. All streams would be actively managed to improve coho runs and as habitat for other salmonid species.

Existing forest ridgeline and riparian roads would remain open to public access, and recreational and educational uses of the forest lands would be encouraged. In addition, all forest management actions and conditions would be scientifically monitored and transparently shared via Internet with Oregon students, teachers, residents, and others interested in forest management issues. In this regard the Giesy Plan directly addresses the "timber wars" of the past 30 years and provides a possible model for the improved management of federal forestlands in Oregon.

We believe that this is the type of "innovative" approach to maintaining the Elliott State Forest in public ownership while meeting legal obligations regarding the State School Fund that was called for in the last two meetings of the State Land Board. Mr. Giesy, former Elliott Forest manager Jerry Phillips (see attached), and I would be very pleased if we could be allowed to present these updated findings to the next meeting on May 9.

Sincerely, Dr. Bob Zybach, Program Manager, www.ORWW.org, Cottage Grove
<Zybach_20170401.pdf>

On Apr 14, 2017, at 4:22 PM, Senator Ted Ferrioli wrote:

Governor Brown, Treasurer Read, Secretary of State Richardson,

A new and more accurate analysis of a proposal to manage the Elliot State Forest (Giesy Plan) has been completed and reviewed by forestry experts. It offers a much greater production of revenue while meeting the initial objectives of preservation, habitat conservation, watershed protection and recreation. I believe it offers a new alternative that could be the basis for retaining ownership of the Elliot while meeting our Trust responsibilities to Oregon school children.

On Apr 11, 2017, at 10:50 AM, Christine Broniak wrote:

Dr. Zybach, It looks like about 80 percent of the forest is dedicated to harvest to get to 50 mmbf/year? The good news is that I can use prices that were bid on the harvests for the past three years in the Elliott (\$367.50/mbf in 2017 equivalent) and grow them forward according to the Producer Price Index for logging to come up with revenue estimates for that 50 mmbf/year level of harvest.

Year	Total MMBF/Year	Revenue
1	50	\$18,770,220
2	250	\$19,175,466
3	50	\$19,589,461
4	450	\$20,012,394
5	50	\$20,444,458
6	50	\$20,885,850
7	50	\$21,336,772
8	50	\$21,797,429
9	50	\$22,268,032
10	50	\$22,748,795
11	50	\$23,239,938
12	50	\$23,741,684
13	50	\$24,254,263
14	50	\$24,777,908
15	50	\$25,312,859
16	50	\$25,859,359
17	50	\$26,417,659
18	50	\$26,988,011
19	50	\$27,570,678
20	50	\$28,165,924

Christine Broniak, Economist
 Legislative Revenue Office, 900 Court St. NE, Rm. 354, Salem, OR 97301

On Apr 11, 2017, at 11:21 AM, Bob Zybach wrote:

Thanks Christine: These are the correct figures, although the dollar figures are speculative and annual rates of cuttings might vary due to maintenance, wind, fire, landslides, and/or flooding. We are confident that these numbers can be reached with only 40% of the Forest dedicated to income-based harvest and the remaining 60% open to incidental maintenance, salvage, and prescriptive cuts.

Using these numbers, the Elliott would produce more than \$400 million in gross income for Oregon Schools over the next 20 years and more than 500 direct and indirect jobs, using a conservative multiplier effect of 10 jobs/mmbf harvested per year. I think those are reasonable ballpark figures to consider.

.....
Email String #2 (Elzinga, Zybach)

On May 3, 2017, at 1:35 PM, Stephen ELZINGA wrote:

Bob, I just wanted to see if you can send us the most recent version of your proposal for managing the Elliott State Forest in public ownership going forward. Secretary Richardson

would like to be fully informed before he makes a decision at the Land Board meeting next week.

Thank you, Steve
Steve Elzinga, Governmental & Legal Affairs Director, Oregon Secretary of State

On May 7, 2017, at 11:15 PM, Bob Zybach wrote:

Hi Steve: Have finally got an opportunity to read the three separate proposals from Governor Brown, Treasurer Read, and Secretary Richardson. We believe that the Giesy Plan alternative ("Elliott State Educational Forest") easily meets and/or exceeds most of the Secretary's eight points, which I will briefly outline below.

Our major concern, however, is Secretary Richardson's stated position that he would consider "either" the Governor's "or" the State Treasurer's proposals as they compare to his "eight leadership principles." We are very hopeful that he will also consider the Giesy Plan proposal as an additional alternative. We think it best serves Oregon's next generation of students, the rural Coos and Douglas county job markets, our State's taxpayers, and the various wildlife that inhabit the Forest's land and streams.

Here are our thoughts on the Secretary's 8-points:

1. Education First. A plan must be consistent with the moral and constitutional requirements to prioritize Oregon schoolchildren by providing at least \$220.8 million for smaller class sizes, more school days, expanding career training, and increasing graduation rates. The members of the Land Board are Trustees of the Common School Fund and our paramount fiduciary duty is to maximize yields.

The Giesy Plan would only last 20 years and would generate an estimated \$460+ million during that time — all to be allocated to the School Fund as currently required by law and with added incentives and technology to be included in statewide curricula and in direct learning opportunities.

2. Protect Environment. A plan must incorporate Forest Stewardship Council principles and clearly meet the requirements of the Endangered Species Act to protect critical habitat and wildlife.

An estimate 35,000+ acres of the Elliott would be set aside specifically for the management of older forest species, and particularly for spotted owls and marbled murrelets. All of the Forest's streams would be dedicated to actively monitoring and enhancing native coho runs, and particularly those streams above Tenmile Lakes. Riparian acreages would be in addition to older forest set asides and would likely total another 10,000 to 20,000 acres.

3. Create Jobs. A plan must allow sustainable timber harvest to create permanent family-wage jobs in struggling rural and coastal communities.

The Giesy Plan would create an estimated 500+ direct and indirect mostly local jobs for the entire 20-year period. An entire, greatly-informed, generation of schoolchildren and taxpayers

could then make a far better and informed decision as to whether to sell the Elliott, or otherwise alter its management direction, at that time.

4. Recreational Access. A plan must ensure that hunters, anglers, hikers, and all other Oregonians have access to the forest.

The Giesy Plan stipulates that 100% of the primary (and nationally historic) ridgeline and riparian road network be maintained and improved for 100% access by Oregon residents. Increased usage for recreational, educational, and/or research purposes would be encouraged — and particularly those activities that might generate additional funding for the School Fund and Forest management.

5. Tribal Justice. A plan must keep the promise to restore ownership of ancestral homelands to tribal peoples who have protected them for millennia.

The Giesy Plan identifies the four early historical Oregon Indian Tribes that lived in and adjacent to the Elliott Forest: Kelawatset, Hanis, Miluk, and Yoncalla. Any opportunity to coordinate coho recovery, recreational development, and/or forest management with the descendants of these people should be encouraged, particularly if written and signed agreements are involved.

6. Generational Equity. A plan must be financially sound over the long-term and avoid saddling Oregon's children with decades of debt. It should avoid spending General Fund dollars for management, avoid expensive litigation against the state, and avoid public debt to buy an asset the State already owns.

The Giesy Plan produces good income and excellent educational and recreational opportunities for an entire generation of Oregon schoolchildren and residents. The plan is dependent on formal good-faith agreements with recent litigants who have directly affected Forest management in the past five-ten years. In exchange for not filing any suits directly or indirectly affecting the management of the Elliott Forest for 20 years, they will be given exclusive use of nearly 1/2 of the Elliott Forest (excepting ridgeline and riparian roads and fish-bearing stream riparian areas) for that period of time for the sole purpose of demonstrating the value of older forest habitat to spotted owls and marbled murrelets. It is a basic scientific challenge with a transparent monitoring and review process publicly shared by all interested Oregonians.

7. Public Ownership. A plan must retain options for public ownership of old growth forest areas.

The Elliott State Forest is almost exclusively second-growth, due to fire, wind, landslides, and logging. Less than 1% of the forest is old-growth, and that is mostly contained in a 50-acre patch purchased from Weyerhaeuser under the direction of Jerry Phillips, and another 300 acres or so along the “Mill Creek Canyon,” with trees estimated to be more than 150 years old. The standard definition for “old-growth” Oregon trees for the past century has been 200 years of age, or older. More than 1/2 of the Forest would be retained in older forest conditions for the next 20 years and all of the Forest would remain in public ownership during that time.

8. State Reputation. A plan must preserve the state's reputation and the ability to negotiate agreements in good faith with business and nonprofit partners in the future.

Part of the risk of conducting business is that often times good-faith agreements are unable to be fulfilled. Despite the bruised feelings and costs entailed by deciding to postpone a decision to sell for 20 years, we believe that the positive example Oregon would set for the management of its forests, its commitments to education and recreation, and its willingness to address the “forest wars” and unprecedented forest wildfires of the past 30 years that have concerned all western states, would greatly enhance the State’s reputation.

Here is a way to not only greatly improve the management of Oregon’s “First State Forest,” but also as a demonstration for the possible management of USFS and BLM forestlands in the State, and in the western US. Here is the background to the Giesy Plan proposal — which was fittingly known as the “Oregon Plan” when Governor Kitzhaber was considering presenting it to the Western Governor’s Conference:

http://www.orww.org/Elliott_Forest/References/Academic/OR_Fish_&_Wildlife/Zybach_20140300.pdf

We are very interested in having Secretary Richardson consider this proposal in terms of his eight principles, in addition to the Governor’s and State Treasurer’s analysis using the same criteria. Perhaps a good solution might be to table consideration of the sale for six months or so in order that an independent and transparent public comparison can be conducted.

Thank you for considering this proposal. We look forward to your thoughts.

Sincerely,

Wayne Giesy, Pres., www.ORWW.org

Bob Zybach, Program Mgr., www.ORWW.org

Common Sense & The Elliott: The Giesy Plan Option

By Dr. Bob Zybach
March 19, 2024 DRAFT

Aristotle is among the first to be credited with the idea that "the problem with common sense is that it is so uncommon." In more recent times the French writer Voltaire, Mark Twain, and cowboy philosopher Will Rogers have been credited with this sentiment.

When Albany-based journalist Hasso Hering coined the phrase "Giesy Plan" in a 2003 newspaper editorial, he noted that it "sounds visionary because it is based on common sense and assumes that obstacles can be overcome." He also added: "That's the way most Americans used to think. Would that more of us did so now."

Hering has defined the paradox. Giesy's commonsensical approaches to forest management problems have always been uncommon -- "most Americans" never actually "used to think that way," either; just a few of them, here and there. That's why we know who Will Rogers and Aristotle were.



Jim Petersen, *Evergreen Magazine*, interviewing Wayne Giesy regarding forest management philosophies at OSU Research Forests office at Peavy Arboretum, near Corvallis, Oregon, April 8, 2018. Photo by Julia Petersen.

In the late 1980s timberman Ralph Hull hired his friend and former Benton County Representative, Wayne Giesy, to work full-time as a lobbyist on behalf of the forest industry in western Oregon. Ralph also paid for most of my PhD and contributed heavily to schools and missions in rural Africa and South America during his life.

One of Ralph's favorite sayings was "the further people get away from the land, the less common sense they have." He was talking about generations of people that grew up in cities, rather than on farms or near forests. It was important to Ralph that Wayne be heard in Salem, and that I get my PhD in Corvallis.

THE GIESY PLAN

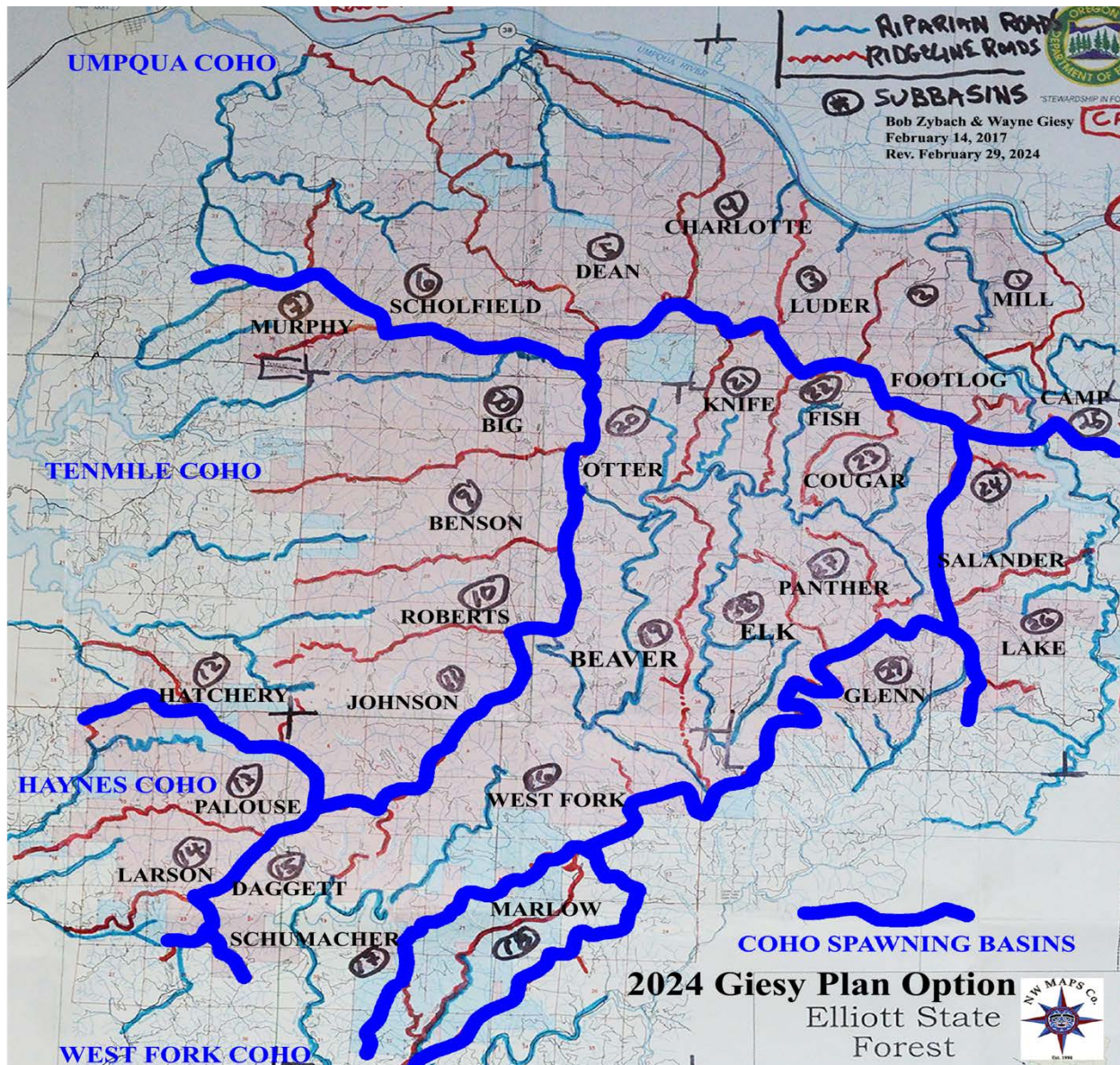
Wayne and I worked together from the late 1980s until a week or so before he died at age 99 in 2019. For the entire 30 years I heard him talk about his plan to end the "forest wars" with anyone and everyone that would listen and offer an opinion.

Wayne won state and national awards for this effort, but his real effect was with state and federal politicians and the planning processes of the Bureau of Land Management (BLM), US Forest Service (USFS), and Oregon Department of Forestry (ODF). One of his recurring observations was that "you can get a lot done if you don't care who gets the credit."

Following Wayne's death, long-time friend and journalist, Jim Petersen, wrote a tribute to his memory for *Evergreen Magazine* titled "Another Giant Gone." This is the part he wrote about Wayne's plan:

"The so-called "Giesy Plan" first surfaced in the 1980s. Wayne preferred to call it the "Oregon Plan," but it became so closely tied to him that it became the Giesy Plan. Had it been adopted, it would have zoned federal forest lands for their highest and best use: riparian, reserve, and commodity production.

"Wayne's goal was to create employment, business opportunity, and tax revenue for rural communities that were economically devastated by the litigation-driven collapse of the federal timber sale program. Science-based modeling would have been used to flush out highest and best uses including old growth habitats for recreation and dependent species."



Map of named creek subbasins of the Elliott State Forest in relation to its four major runs of coho salmon: Umpqua River; Tenmile Creek; and the Haynes Inlet and West Fork Millicoma River runs of Coos Bay.

Wayne's initial focus was BLM's western Oregon O&C Lands, which are a checkerboard pattern of government and private square-mile ownerships. The proposal was to dedicate 1/2 of the government-owned forested squares to timber production and leave the other 1/2 for "old-growth habitat." Other politics in play at that time were trying to consolidate those ownerships into more easily managed blocks of timberland through land exchanges, so Wayne turned his focus to the USFS and the Siuslaw National Forest.

Because the Siuslaw was already a large block of forestland, a condition the proponents for the proposed O&C Lands exchange hoped to achieve, riparian habitats became more of a concern. After discussing in some detail with wildlife biologists, hydrologists, and environmental advocates, Wayne modified his proposal to include riparian areas as a third division. This allowed for the management units to be considered on the more practical biological basis of discrete subbasins rather than the strictly legal basis of square-mile sections.

Wayne continued to promote this modified proposal to Oregon's senators and representatives in Congress and got a receptive ear from Oregon Governor John Kitzhaber, who was considering presenting the Giesy Plan to the 2015 Western Governor's conference that he chaired. The idea was to use the Siuslaw as a model for addressing the conflict on other National Forests dealing with spotted owls, ESA lawsuits, and Wilderness wildfires.

Unfortunately, Kitzhaber became embroiled in some controversy and resigned before the 2015 Western Governor's meeting could take place. Secretary of State Kate Brown was then next in line of succession and became the new Governor of Oregon. Brown had no practical experience with resource management or rural Oregon populations, and no familiarity or understanding of Wayne's efforts.

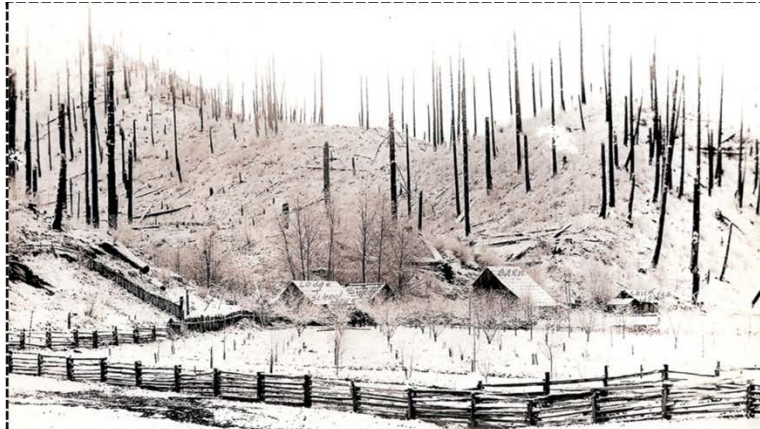
GIESY PLAN ALTERNATIVE

The story has been told a few times earlier in this series about the 2012 environmental lawsuit against the Oregon Department of Forestry (ODF) brought by Portland Audubon, Cascadia Wildlands, and Center for Biological Diversity that directly caused the shut-down of 28 State timber sales and almost all logging on State Forests by 2016.

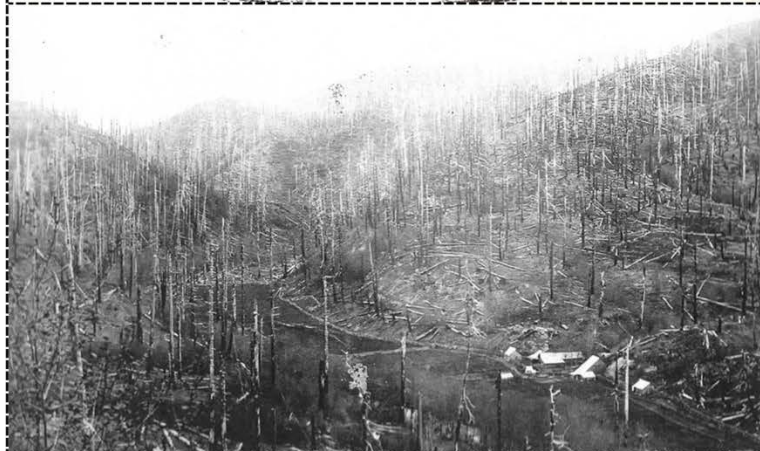
The shut-downs included the Elliott State Forest, and it immediately began losing money to legal fees, fire insurance, and basic management costs. The Elliott was created in 1930 through trade for scattered parcels of Common School Lands granted by the federal government at the time of Oregon Statehood in 1859. It was almost entirely comprised of even-aged stands of precommercial Douglas fir trees dating to the fires of 1879 and 1868 and was projected as a steady future income for Oregon's K-12 schools and regular employment for hundreds of local residents.

Rather than appeal the lawsuit, Governor Brown and her advisors decided to sell the Elliott. At that time Ted Ferrioli, a personal friend and regular breakfast mate of Wayne's and Republican minority leader in the Oregon House, asked Wayne

and me to develop an alternative to selling the Elliott; one in which the Giesy Plan could scientifically demonstrate and document the economic, biological, and aesthetic differences between passive management of legally modeled wildlife habitats and active management for maximum school income and desired future conditions.



The Elkhorn Ranch, 1890-2017.
[top] The Gould-McClay family ranch ca. 1890. It was located along the West Fork Millicoma River in the center of present-day Elliott State Forest. The fenced orchard was planted on an old Indian prairie. Notice the relative sizes and spacing of old-growth snags on the bench and in the draw with the second-growth snags and burned stobs along the hill and ridgeline. All show evidence of at least two fires, likely 1868 and 1879.



[middle] The Elkhorn Ranch, ca. 1890, from the southwest. At that time, about 140 years ago, most of the rest of the Oregon Coast Range was also covered with snags and young even-aged Douglas fir trees --and most flat and sloping riparian areas were still open, sunny meadows, lawns, and pastures that had been created and maintained by people for thousands of years. Coho were documented in great numbers, but whether owls or seabirds had adapted or relocated is unknown.



[bottom] David Gould and apple tree from his great-grandparents' orchard. The fenced rose behind him was near the front porch of the family home. A few trees remain from their 1880s planting, and the Indian prairie is still in strong evidence. (November 8, 2017 photo by Bob Zybach)

In other words: How to manage the Elliott in such a way as to scientifically address the Forest Wars on federal forestlands while meeting legal commitments to the

Oregon Common School Fund and ethical commitments to local families and communities?

The desired results would be dependent on five conditions: 1) all existing ridgeline and riparian roads would remain open to public access; 2) more than 40% of the land would be dedicated to old-growth forest habitat; 3) more than 40% of the land would be managed for maximum short-term and long-term revenue to the Common School Fund; 4) all of the Forests' subbasins would be scientifically and transparently monitored so that all Oregonians could directly participate in considering the differing management approaches; and 5) litigation regarding the management of the Forest would be banned for 20 years, by legal and political agreement.

To address this strategy, Wayne and I first divided the Elliott's 80,000+ acres into 24-30 named forested subbasins of 1,000 to 5,000 acres each. We then outlined contiguous polygons that included fish-bearing streams, floodplains, and riparian roads and campsites as a separate consideration. The forested subbasins would be evenly divided into the two categories of "reserve" and "commodity production."

Riparian areas could be managed separately by local Tribes with a focus on fish populations, water quality, and recreation; commercial timberlands could be managed by local businesses and elected officials; and ESA wildlife habitat could be managed by the environmental organizations that had filed the lawsuits, or their assigns.

Each of these three divisions would be closely monitored by Oregon students and educators for the 20-year period, with specific focuses on economics, aesthetics, wildlife populations, water quality, recreational opportunities, and wildfire mitigation.

Field trips and student research project would be encouraged, and the entire forest and these topics would be closely monitored and documented by modern technical means -- with all observations and findings transparently shared via an Oregon Websites & Watersheds Project (ORWW) nonprofit educational website.

Wayne and I had co-founded ORWW in late 1996 and it has been continuously online and growing ever since; our proposal was being developed from that dual perspective of Internet-based public education and potential source of funding for our nonprofit.

Named Subbasins. In the Elliott, all named subbasins are called "creeks" and are tributary to the Umpqua River, Coos Bay, or Tenmile Creek basins; each of which has significant runs of coho, lamprey eel, and/or other anadromous fish. A subbasin includes all the water that flows between ridgelines until it reaches a mouth that joins with the next -- larger -- named river, creek, or lake.

Subbasins are an important consideration for many reasons, and particularly from a management perspective. Virtually all forest plants spend their entire existences in the subbasin in which they germinated -- including rare plants, old-growth, second-growth, wildflowers, berries, ferns, and mushrooms. The same is true for most fish, small mammals, insects, reptiles, and amphibians for reasons of high juvenile mortality and/or limited mobility. Larger mammals, fish, and birds, of course, can readily move between basins, subbasins, and even land and sea for many species.

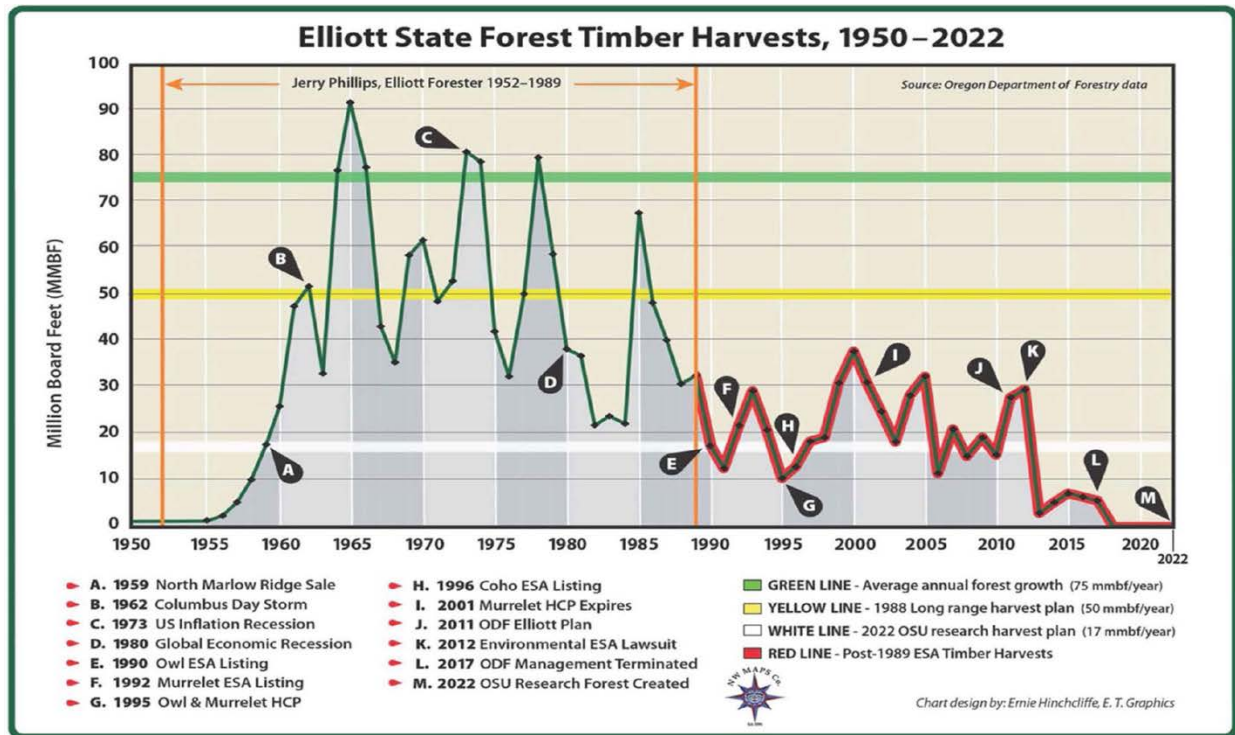
Subbasins are also useful considerations for purposes of access for work and recreation; researching and managing select plant and animal populations; and for implementing reforestation, fuel management, and wildfire mitigation strategies.

Forest Reserves. More than 40% of the Elliott would be dedicated to old-growth forest habitat for the 20-year period, and the entire Forest would be monitored for a wide range of native forest wildlife species. Litigation regarding the management of the Forest would be banned for this time by legal and political agreement, while this educational management experiment took place. Environmental organizations would make decisions on all possible thinning, salvage, or other management operations in lieu of filing lawsuits.

Working Forest. More than 40% of the Elliott would be managed for maximum short- and long-term revenue to the Common School Fund, with a planned harvest schedule of 50 million board feet of timber per year (50 mmbf/year) for 20 years; the same sustainable level that had been achieved for nearly 30 years, beginning in 1959, and given as the target figure in the 1988 ODF Elliott management plan. At that time, in 1988, the Elliott's trees had become 30 years older and contained significantly more volume than when logging had first started, so this was reasonably considered to be a conservative and sustainable harvest level.

According to State economists in 2017, the ORWW Giesy Plan Alternative would provide more than 430 full-time, family wage, blue collar jobs to Douglas and Coos counties and more than \$460 million to the Common School Fund during its 20-year existence. That would be in addition to the critical research findings it

would produce regarding marbled murrelet, spotted owl, coho, lamprey eel, and pine marten habitat, as well as significant carbon sequestration data.



The Green Line represents average annual amount of growth of Elliott State Forest trees;
 The Yellow Line represents average allowable cut for the Elliott in the 1988 harvest plan;
 The White Line represents OSU's planned annual harvest of the Elliott w/ no snag salvage;
 The Area between the Green Line and Red Line represents Elliott fuel increases since 1989.

This is the 3rd or 4th time this chart has been used in this series of articles, and each time the context is different. Here it is illustrating the predictable economic and political boondoggle resulting from the combination of ESA regulations, HCPs, and environmental lawsuits related to the Elliott's bird and fish populations.

In February 2019, the ORWW Giesy Plan Alternative "Elliott State Educational Forest" -- a proposed working forest that produced income to the Common School Fund while conducting meaningful research -- was transformed, literally overnight, by a DSL MOU with OSU creating the "Elliott State Research Forest" -- that predictably didn't work, conducted no research, and cost Oregon taxpayers millions of dollars.

GIESY PLAN OPTION

In 2019 Wayne died, OSU came out with its draft Elliott management and research plans, and I wrote an article/editorial for this series titled "Elliott Forest Boondoggle vs. The Giesy Plan Alternative." The article named names, called out

the DSL (Department of State Lands) for gross mismanagement of the Forest, warned OSU about the failed direction it was taking, and clearly predicted a political and economic boondoggle for years to follow if the stated course wasn't changed. And again suggested considering the Giesy Alternative ideas for jobs and research.

At that point I had mostly stopped paying attention to what DSL and OSU were doing regarding the Elliott. The pandemic in 2020 caused a dramatic change in how ORWW and the Southwest Oregon Community College (SWOCC) forestry student field trips to the Elliott were conducted for the next few years, but fortunately resulted in a videotaped "distance learning" library that is still in use. In 2022 the Oregon Legislature adopted Senate Bill (SB) 1546, which created a permanent arrangement based on the 2018 OSU-DSL MOU and an Elliott Board of Authority with a \$4 million budget to direct its implementation.

SB 1546 was scheduled to take effect on January 1, 2024 so long as six criteria were met -- including formal support of the OSU Board of Trustees. Then, in early November 2023, everything changed. OSU President Jayathi Murthy's letter to the Governor and DSL outlined her decision to extricate OSU from its Elliott agreements with DSL, and SB 1546 was not made into law.

One result of these changes is an opportunity to revisit and update the 2017 ORWW Giesy Plan Alternative for reconsideration. Since it was written, seven years of research, recreation, and education have taken place on the Elliott, largely spent with the two foremost experts on its history and management, Jerry Phillips and David Gould, and including six years with Tasha Livingstone Davison's spring-term SWOCC F256 Forest Recreation class and their field trips and reports.

The 2017 Giesy Alternative and the 2024 Giesy Option have the same goals: active management of the Elliott as a working forest for the continued benefit of the Common School Fund and Oregon' schoolchildren, while conducting meaningful forest management research for the benefit of current forest managers and future generations.

Roads & Trails. The 550 miles of roads and trails on the Elliott are among its most valuable cultural artifacts, as well as being critical for purposes of public access, research, recreation, forest management, wildfire mitigation, and education. Many of these routes also have national and local historical significance.

The steep ridges and narrow river and creek valleys of the Elliott make foot and vehicle access largely limited to the ridgelines and along riparian areas, with occasional connective links between the two. For thousands of years Indian foot trails followed these routes; then pack trails, sheep, and cattle trails in the 1880s; historic CCC roads in the 1930s; and historic logging roads and cat tracks from then until the 1980s.

A top priority for current management should be the mapping, clear signage, and regular maintenance of these 550 miles of roads and trails. When ORWW began developing educational Elliott field trips for SWOCC forestry students in 2018, a consistent theme of their reports and recommendations was the great need for better road and trail maintenance, and for directional signs.

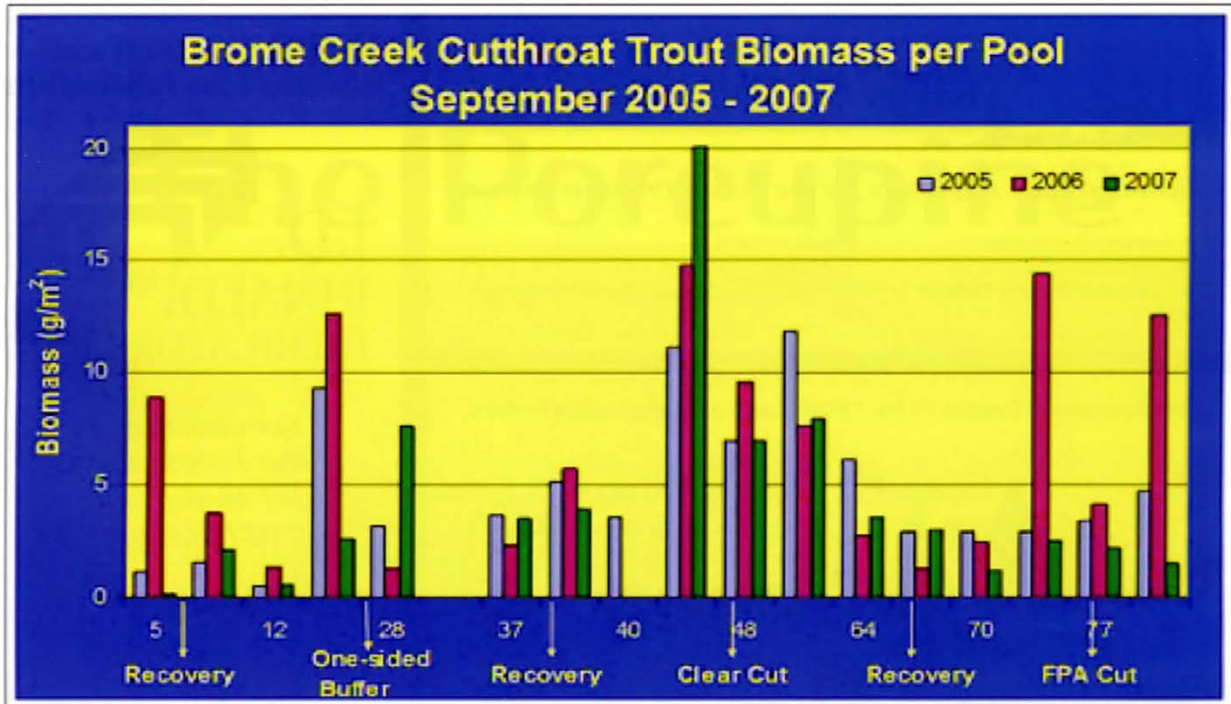
Monthly and annual maintenance schedules would create needed local jobs and greatly expand field research and educational opportunities, reduce harvest costs, improve fire management, and allow for greater dispersal of recreational visitors seeking solitude or privacy.

Research Design. The basic focus of the Giesy Plan was to illustrate the difference between passive management and active management of our federal forests without sacrificing local jobs. The 2017 ORWW Giesy Plan Alternative scientifically addressed those differences but focused on trees and terrestrial animals, and with a State Forest serving as a demonstration project for federal land managers.

Since the Giesy Alternative proposal was first written, Wayne has passed on, ORWW has continued to conduct historical research and education projects for its two Elliott websites, SWOCC forestry students have used the Forest for six years as the basis for educational field trips and student reports, NW Maps Co. has developed a library of Elliott "distance learning" videos for the ORWWmedia YouTube channel, and SB 1546 has sunsetted.

Things have changed. Given current circumstances and history of the past six years, this article is a first attempt to reconsider and update the 2017 proposal to a more refined and relevant 2024 "ORWW Giesy Plan Option." A key difference in the 2024 proposal from 2017 is the change from removing the riparian buffer from research consideration then, to making the buffer the focus on water quality and anadromous fish populations now.

The basic design would be the proven OSU 10-year research collaboration on the North Umpqua property of Roseburg Forest Products: the 2002-2012 "Hinkle Creek Paired Watershed Study." Whereas that research, and other paired watershed studies, primarily focused on the effects of logging on temperature and volume of similar streams, the proposed Giesy Option would focus more on the comparative effects of permanent buffers and ephemeral no-buffers to endemic and anadromous fish populations.



Oregon Department of Fish & Wildlife histogram showing total weight of native cutthroat trout in pools along Brome Creek in the Hinkle Creek Paired Watershed Study. Measures were taken for three consecutive years following three different types of logging: clearcut, one-sided buffer, and Oregon Forest Practices Act ("FPA") regulation with a two-sided buffer. Each type of logging extended 1000 feet along the creek and was separated by 1000 feet of unlogged ("Recovery") stream length between designed logging methods. As shown, native trout sizes and numbers were greatest where there was the most sun.

Ideally, a systematic selection of two adjacent subbasins from each of the four principal Elliott coho runs would be chosen: one to be left "as is" — but with roads and trails maintained for public access, research, education, and recreational uses — and the other to be clearcut to the water's edge from ridgeline to ridgeline.

Almost all subbasins in the Elliott have been completely denuded of trees one or more times in history, through fire, grazing, and/or logging, but no measures have been made of the effects of these events on native fish, bird, and mammal

populations. Here is an opportunity to learn of such recurring conditions, and with more than a dozen nearby comparisons as controls.

One scenario might be to select Palouse and Larson Creeks on the Haynes Inlet coho run; Benson and Roberts Creeks on the Tenmile Creek coho; Luder and Charlotte Creeks on the Umpqua River coho; and Cougar and Panther Creeks on the West Fork Millicoma River coho. Logging would be focused on a single named subbasin in each of the four coho runs.

Perhaps Palouse, Benson, Luder, and Panther would be systematically clearcut from ridgeline to ridgeline -- excepting older native trees -- over a period of a few years, while the adjacent Larson, Roberts, Charlotte, and Cougar subbasins would remain untouched. Students and researchers would have access to current technical equipment and methods to monitor bird, mammal, and fish populations in all named subbasins, with particular focus on the eight paired creeks.

The Elliott was one of the very first forests to experiment with streamside buffers, balloon logging, and progeny test sites. In the 1950s thousands of trees had been systematically cored and aged by several young foresters, including Jerry Phillips. Perhaps a current research focus could be on relocating and updating those records and sites for immediate management considerations.

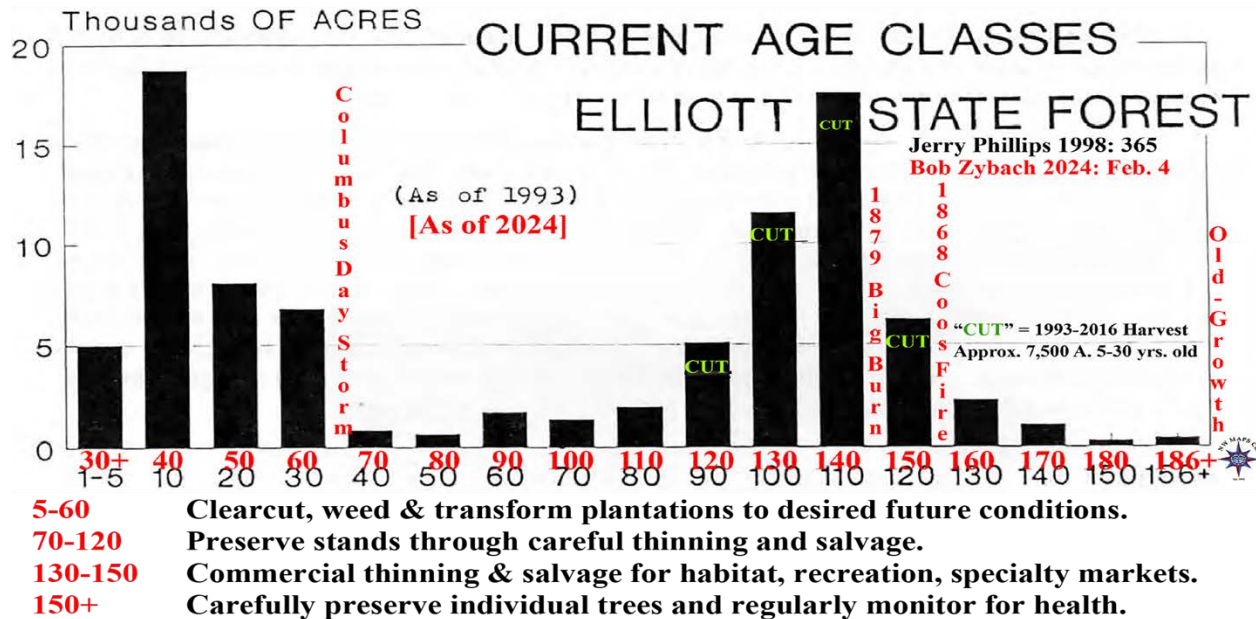
Careful measurements of plant and animal populations, water flow and stream temperatures, economics, recreational uses, and carbon sequestration would be made regularly for all 24 subbasins and transparently shared via Internet along with expert comparative analyses and discussions made before and after treatments and between adjacent treated and untreated subbasins.

Other useful (and independently funded?) research could involve testing of electric vehicles and equipment for management and logging operations; landslide, ephemeral lake, and salmon spawning gravel relations; video drone stream and trail monitoring; wildflower dormancy, etc. -- and then let the next generation of students and voters decide what to do with the Elliott, armed with this acquired knowledge and experience.

Logging Design. Given that the history of the Elliott is one of occasional and unpredictable catastrophic wildfires, major windstorms, and massive landslides, any logging plan must keep the continued likelihood of such events in mind.

The Giesy Plan Alternative called for a modest average of 50 mmbf/year timber

sales, which is less than the Forest grows on an annual basis. This level of harvest would create hundreds of local jobs, produce hundreds of millions for Oregon schools, and allow for salvage of occasional catastrophic deforestation, while still maintaining a sustainable level of income and employment.



The updated U-shape of Phillips' 1993 bar chart of forest age classes is typical of most native forests in western Oregon: young, even-aged stands following episodic catastrophic wildfires, windstorms, volcanic eruptions, logging, and landslides. The green "CUT" lines on the current 120- to 150-year-old age classes represents an approximate acreage figure for those groups. In the 22 years from 1994 to 2016 a total of 455 mmbf of timber was sold and harvested from the Elliott, and no sales were made after that date. Retired timberman and regional historian, Bill Lansing, estimates those sales principally took place in stands 90-130 years of age that likely averaged about 60 mmbf per acre, for about 350 acres logged per year; or 7500 total acres harvested for the unlisted 5-30-year age group.

The highest priority of annual log sales should be in maintaining cleared and safe roads, trails, and campsites. Next should be preservation and maintenance of all individual trees more than 145 years of age and stands of trees 65 to 120 years of age through regular salvage, judicious thinning, and removal of competing ladder fuels, weeds, and ground fuels.

The greatest volume of Elliott trees is in the 120- to 145-year-old mature second-growth age groups, and these stands can be commercially thinned on a regular basis for income, research, and recreational purposes, with a focus on the four paired watershed subbasins as highest priority.

Finally, all 65-year-old and younger plantations were created to produce jobs and

wood products and should be systematically clearcut for those purposes, beginning with the oldest stands and depending on market conditions. These areas can then be weeded and reforested with a focus on wildlife habitat, cultural landscape restoration, and/or future product income.

If enacted as suggested, this strategy would immediately create dozens and then hundreds of profitable tax-paying jobs in Coos, Douglas, and Benton counties -- including local students being paid to take measurements, clear trails, record interviews, and/or otherwise gather and universally share data while gaining credits toward their high school, college, and/or graduate degrees.

Reforestation Planning. An opportunity now exists to transform the Elliott into one of the most productive and arguably most beautiful working forests in history. This can be partly achieved through the purposeful management of its oldest trees and public access, but the transformation of the Forest's thousands of acres of outdated Douglas fir plantations to a more thoughtful desired future condition for the next generation of Oregonians would be a real gift of lasting value.

Following salvage of the 1962 Columbus Day Storm blowdown on the Elliott, dozens of miles of new road were built, and thousands of acres have been converted to industry-style Douglas fir plantations. To people familiar with planting Douglas fir seedlings on an 8-, 10-, or 12-foot grid, these creations soon turn into a contiguous "green hell" canopy of darkly shaded, silent, highly flammable trees.

This process is perhaps the most effective "biological control" of competing weeds, other tree species, wildflowers, songbirds, and large mammals in western Oregon. The deep shade produced by this method of reforestation blocks out most ground-level sunlight in a few years' time and replaces meadows, prairies, fields, and pioneer orchards with conifer poles and saplings planted in rows, with occasional mushrooms, fungi, or lichens among the fallen needles, twigs, and limbs.

Industrial plantations were established for the sole purpose of creating jobs and wood products over a given period of time -- typically following 40, 60, or 80 years of growth and depending on changing markets. They are the antithesis of biodiversity and habitat for most wildlife, and effectively erase cultural landscapes such as huckleberry fields, peavine ridgelines, and pioneer homesteads.

The systematic clearcutting of Elliott plantations not only serves the needs of local employment, wildfire mitigation, and the Common School Fund, but allows for

their replacement with a focus on desired future conditions based on evolving values and enhanced information and technologies. Optional futures might include cultural landscape patterns, wildlife habitat, and/or enhanced fiber production.

Oregon students and teachers would be encouraged to visit online or on field trips to view these methods and findings, as well as other “working forest” research and management operations that might be taking place on the Elliott.

Forestry Education. I have been corresponding with Sierra Club member and Coos Bay native, Fergus Mclean, for many years regarding the potential of the Elliott for educating Oregon’s schoolchildren — and adults — about forest management and forest science. We disagree on a few other topics but are in full agreement that the Elliott offers an ideal setting for educating Oregon's K-12 students about forestry and providing meaningful research and management jobs for college and university students.

June 22, 2022 Resolution of the Oregon State Grange

--Whereas: The Grange is a strong supporter of investment in public education benefitting rural timber economies; and
--Whereas: There is a severe workforce shortage in all segments of the forest economy, including a shortfall of 6,000 wildfire fighters in the last fire season; and
--Whereas: Recent forest studies show Oregon’s westside forests among the densest natural carbon sinks on the planet; and
--Whereas: New ecosystem-based forestry practices promise significant ecological, economic, and recreational benefits; and
--Whereas: These new developments in forest science promise creation of a significant number of new, well-paying forestry careers for Oregon schoolchildren; and
--Whereas: The Oregon Department of State Lands is in the process of creating our nation’s largest forest research institute in the Elliott State Forest,

Therefore, be it Resolved: That the Oregon State Grange urges Oregon’s Legislature to create a forestry academy in the Elliott State Forest to provide forest-related educational and research opportunities for school-aged children.

In late 2021 Fergus drafted a formal proposal for his local Lowell Grange regarding this idea. After discussion and some editing it was submitted to the Oregon State Grange at its annual meeting in June 2022, held in Talent and attended by 51 community Granges from around the state. Following more discussion and final editing, the resolution was adopted by majority vote and remains active for 10 years.


Fergus was also the first to promote Shutter Creek as an ideal facility for statewide educational purposes when Governor Brown ended its use for youth corrections in 2022. DSL acquired ownership of Shutter Creek in 2023 in anticipation of SB 1546 passing and the facility being adapted for use as an operating base for OSU researchers. It is an historic facility with a colorful past and could be readily and far more economically developed into a landmark forestry educational center for Oregon schoolchildren than as a research center for long-term academic operations.



Shutter Creek Correctional Institute is located along the western boundary of the Elliott State Forest. It was initially built as the North Bend Air Force radar station in 1953, closed in 1980, and transferred at no cost to Oregon taxpayers in 1990. At that time it was converted to a 280-bed minimum security prison. The prison was closed in January 2022 by Governor Kate Brown and transferred to DSL for forestry research in September 2023.

Student educational topics and field trips could include everything from electrical logging methods, wildlife habitat, and reforestation planning to carbon sequestration and forestry economics. Forest-related studies could be explored and communicated to the next generation of Oregonians from this base, with Internet communications keeping everyone else informed and updated on a near-daily basis.

In 20 years, the next generation of Oregonians could use this information and these work experiences with an opportunity to make a better plan for the Elliott for the next 20 years and following generations.



AMAZON BOOKS \$25

***The Elliott: An Anthology.* 22 articles by Dr. Zybach regarding the Elliott State Forest in western Oregon. Topics include fire history, forest management, wildlife, recreation & politics involving spotted owls, marbled murrelets, the Governor, OSU, HCPs, FMPs, Portland Audubon, schools, lawyers & environmental activists: Forest Science w/definite opinions: 120 pp. full color.**

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

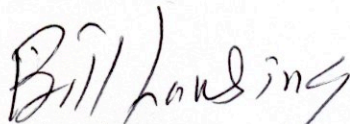
I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL). By way of Introduction, I am the retired President and CEO of Menasha Forest Products Corporation, once headquartered in North Bend, Oregon. My company managed some 130,000 acres of prime forest land similar to that on the Elliott State Forest. As such, I am intimately familiar with the history of the Elliott as a business manager and as a certified forester.

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for a science-led research forest.

Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,



Bill Lansing
93962 Bridge View Lane
North Bend, OR 97459
541-269-1642

Representative Bobby Levy
Rep.bobbylevy@oregonlegislature.gov
541-561-5557 (C)
April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Bobby Levy
Representative House District 58
Oregon House of Representative

SHELLY BOSHART DAVIS
STATE REPRESENTATIVE
DISTRICT 15



HOUSE OF REPRESENTATIVES

April 8, 2024

Oregon State Land Board
landboard.testimony@dsl.oregon.gov

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

Dear Trustees of the Oregon State Land Board,

I am extremely concerned about the new proposed governance structure of the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline for adopting the ESRF's governance structure, especially in the face of the Board's attempts to defund Oregon schools by decoupling the ESRF from the Common School Fund.

The April 2nd notice called for a decision by April 9th, severely limiting meaningful public engagement. Such a short timeframe for this kind of decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

I urge the Board to pause this decision and take more time to consider alternative approaches, like proposals from Dr. Dave Sullivan of the Oregon Advocates for School Trust Lands (OASTL). These recommendations from OASTL would ensure the ESRF is managed responsibly by experts in forestry science and management to ensure the forest is managed for the greatest benefit to our schools, local communities, and the environment, not managed by politics.

I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Shelly Boshart Davis
District 15

From: [cheryl parks](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Elliott State Forest
Date: Sunday, April 7, 2024 8:52:28 PM

You don't often get email from cheribeth1@yahoo.com. [Learn why this is important](#)

Cheryl Parks
cheribeth1@yahoo.com
April 8th, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws
I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).
I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard. As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest. In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,
Cheryl Parks
Taxpayer

From: ggce@aol.com
To: [DSL Landboard Testimony * DSL](#)
Subject: Elliot State Forest Research
Date: Sunday, April 7, 2024 5:22:22 PM

You don't often get email from ggce@aol.com. [Learn why this is important](#)

Dear Trustees of the Oregon State Land Board,

I am writing to today representing Whitewater Forests LLC and three generations actively involved in caring for our forest land located in Oregon's coast range.

We have grave concerns about your proposal of April 2nd to define governance for the future of the Elliot.

The Elliot is a half-billion dollar public asset that presently has become a millstone **costing** the state money each year for lack of any active management. Any Board appointed to address the future of the Elliot must include a broad spectrum of interests to assure environmental as well as economic outcomes are investigated.

It is critical that the Board carefully consider governance that will employ a creative program recognizing the forests unique environmental attributes and potential for research. This is an extraordinary opportunity to produce a sustainable harvest focused on experimentation in adaptive management while recovering adequate economical value to pay for these programs.

It appears there is a serious problem with the rigid management regime when a fine forestry institution like OSU won't take the Elliot for free. You probably should consider this a signal that something is amiss!

I'm puzzled why it's necessary to rush this crucial decision on a management proposal with a deadline of April 9th for public input. This doesn't seem transparent considering the value at hand. I urge you to substantially extend the deadline for public comment to a reasonable period to allow understanding of the proposal and encourage participation in the decision making process.

Sincerely,

Gordon Culbertson
Whitewater Forests LLC
Springfield, OR

CHRISTINE GOODWIN
STATE REPRESENTATIVE
DISTRICT 4



OREGON HOUSE OF REPRESENTATIVES

April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,

Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

A handwritten signature in cursive script that reads "Christine Goodwin".

Christine Goodwin
State Representative HD 4
Oregon Legislature



Oregon Natural Resource Industries
23480 Hall Rd
Cheshire OR 97419
Jen Hamaker, President
805-245-2612
<https://onri.us/>

To Oregon State Land Board and Department of State Lands regarding the Elliott State Forest's management and it's Trustees. Stop screwing this up! The Elliott is a magnificent forest that requires management for Greatest Permanent Value which is a three-legged stool consisting of environmental, economic and social benefits for ALL Oregonians and for the Common School Fund.

Dear Governor Kotek, Secretary of State Griffin-Valade, State Treasurer Read, and Executive Director of State Lands Vicki Walker,

On the first page of the 'Exploring the Elliott State Research Forest' website says:

ESRF Oversight and Engagement

Ensuring accountability, transparency, and meaningful engagement is critical to establishing and operating the Elliott as a public research forest (<https://www.oregon.gov/dsl/Pages/Elliott.aspx>).

Yet, on April 2nd, Department of State Lands (DSL) released its management proposal for the ESRF and requested that the State Land Board approve this structure on April 9th. With the deadline for public comments set for April 8th at 10 a.m. This is extremely concerning and not at all in alignment to the words on your website; accountability, transparency, and meaningful engagement. Closed-door and secret meetings with little or no public engagement surrounding the decisions for Elliott State Forest as a research forest managed by OSU as well as the 1-week time period for the decision at hand are a pattern of blatant negligence, and are reprehensible towards public engagement.

Oregon Natural Resource Industries (ONRI) strongly opposes the 1-week time period to read, understand, and respond to the proposed management plan for the Elliott State Forest, especially considering the recent withdrawal of Oregon State University from the previous structure. We need more time to understand the proposed management plan especially because it looks like the same management plan that caused OSU to decline the management of the Elliott after several years of planning and hundreds of millions of dollars of taxpayer money being spent for OSU to manage.



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No other meetings have been available to collect ideas about this governance plan. This hurried process denies citizens and organizations like Oregon Natural Resource Industries the chance to prepare alternative proposals or provide informed comments. We question the necessity of such speed in deciding the long-term future management of the Elliott State Forest.

Moreover, we strongly object to the DSL's proposed governance structure, which seems poised to repeat past mistakes by retaining DSL as the managing body and continuing its role in nominating board members. ODF should manage the Elliott State Forest for Greatest Permanent Value and the Common School Fund.

In early March, Oregon Natural Resource Industries sent a letter to the members of the Joint Committee on Ways and Means and Subcommittee on Natural Resources regarding Executive Director Vicki Walker's inaccurate interpretation of the facts surrounding the Elliott debacle which continues to undermine the reason why the Elliott was originally created. The Elliott should be managed for the benefit of our children's future as well as for the economic, environmental, and recreational benefit of all Oregonians.

The DSL's current approach risks repeating past errors by retaining itself as the managing body and continuing as the organization that nominates board members. This structure has already led to limitations that prompted Oregon State University to withdraw from the ESRF, citing constraints on conducting authentic scientific research. The need for professional expertise in managing a research forest cannot be overstated. The Elliott needs a board comprised of individuals with hands-on experience in forestry science and forest management, not a board packed with environmental activists and lawyers as has been the case with previous Elliott State Research advisory boards.

Oregon Natural Resource Industries encourages a proper management plan that supports the health and resiliency of the Elliott as well as the health and resiliency of the surrounding counties with hundreds of jobs, timber revenue, and a renewed tax base.

The Department of State Lands (DSL) and the State Land Board should be seeking management that supports the health and resilience of the Elliott State Forest and manage it for Greatest Permanent Value. However, if a research forest is what has been decided (without public input or time for public to comment), we suggest researching



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the impacts of HCPs (“Habitat Conservation Plans) on the environment, economy, recreation, and listed species and compare the results to a working forest that is managed under an active management plan like the Giesy Plan.

Oregon Natural Resource Industries supports key points within the ORWW Giesy Plan Alternative. We would be very interested in seeing the results of the impacts of an HCP scientifically tested by the Giesy Plan in 20 years. We believe the results regarding the HCP will show that wildfire risk, economic hardship, very little fluctuations in listed species populations (until it burns), and a wedge between humans and our environment; and the results of the Giesy Plan will show a decrease in forest fuels that increase fire, economic prosperity, very little fluctuation in listed species populations, and a strong human connection to our environment.

Oregon is already governed under some of the strictest rules, regulations, and laws in the country regarding how we manage our forests. ONRI is opposed to HCPs, but we do support the Elliott being used to help prove that HCPs do not benefit Oregonians economically, environmentally, or socially.

The Oregon Board of Forestry just passed the Western Habitat Conservation Plan which shuts down 57% of our state forests for 70 years. The Private Forest Accord has taken private timberland to protect listed species for 50 years through a Habitat Conservation Plan. The Federal Government shut down millions of acres of timberland for the past 4 decades with very dismal results regarding listed species, but we do see a massive increase in forest fires. We’d like to pose a real and poignant question; How many spotted owls have been increased in population from HCP’s? How many people have lost their homes or have been killed because of massive fuel loads on unmanaged timberland which is a direct result of HCP’s? Can DSL and the SLB see the forest for the trees?

SB 1546 is dead, it sunset on December 31, 2023, when it did not complete the 6 required provisions. Of the six required SB 1546 enabling actions 2023 (as per SB 161’s amendment of SB 1546 in 2023), only four were completed by the statutory deadline. Oregon Natural Resource Industries views this failure as an opportunity to establish an authority, outside of the current authority, made up of individuals with hand-on experience, in forest science and management to properly manage the Elliott. Not just environmental lawyers, people who do not understand forest management, and environmental activists.



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<https://onri.us/>

Oregon Natural Resource Industries is deeply concerned with the well-being of the Elliott State Forest. We believe that the State Land Board, as trustees of this forest, and the Department of State Lands are acting irresponsible and negligent in their authority to properly manage the Elliott.

As stated in the (materials for the April 2, 2024 meeting), 'Elliott State Research Forest (ESRF) Habitat Conservation Plan: Updates for Final Habitat Conservation Plan,' "DSL updated the HCP based on the Elliott State Research Forest moving forward without the existence of two implementation structure components assumed in the Public Draft HCP: (1) the ESRF Authority as a new state agency and management entity, and (2) Oregon State University (OSU) as the presumed contracted management partner. In November 2023, OSU's Board of Trustees determined not to take a vote to participate at this time, and in light of that decision, relevant significant portions of SB 1546 (the Oregon Legislature's organic act for the ESRF) became nullified." Also in this memorandum it was stated, "DSL considered and advanced revisions to the Public Draft HCP based on the ability to meet the following criteria:

- Meet applicant's objectives (ability to advance a research forest based on the directives of the State Land Board and Legislature, including operational and financial feasibility)
- Meet Incidental Take Permit (ITP) Issuance Criteria
- Not require a supplemental EIS

In addition, it is the intention of DSL, as the applicant, to advance an HCP that, as best as possible, balances interests and input from those who have expressed interest in HCP revisions whether through public comment, consultations, or advisory structures to DSL, including environmental, industry, tribal and local governments interests."

Our concerns:

- ESRF Authority is no longer an entity with the sunset of SB 1546, yet the materials presented at the April 2, 2024 meeting included their Advisory Group Agenda.
- DSL advanced revisions to the Draft HCP to advance a research forest based on directives of a legislature that passed SB 1546 with a required timeframe that was not met, yet they still want to press forward with the same plan OSU declined to implement.
- Take Avoidance is a lot less expensive than and HCP to obtain an Incidental Take Permit. The health and resiliency of the Elliott and surrounding counties would be improved with proper forest management, instead of locking up the



Oregon Natural Resource Industries
23480 Hall Rd
Cheshire OR 97419
Jen Hamaker, President
805-245-2612
<https://onri.us/>

renewable natural resource that can provide environmental, economic, and social benefits to ALL Oregonians.

- Whoever decided to advance with no supplemental Environmental Impact Statement is unqualified to make this decision. An EIS is absolutely necessary to not only understand the environmental and economic impacts but also to allow for a longer public comment period which is necessary especially given that the SLB and DSL has screwed up this whole situation so badly, and that OSU is no longer willing to manage the Elliott with the proposed plan.
- 'Input from those who have expressed interest in HCP revisions through public comment' are being given a 1-week time period which is not enough time. Public comment is a box checked, it means very little to the final decision, as witnessed when the Board of Forestry passed the Western HCP after years of heated testimony. Now 5 mills have closed in Oregon. Oregon and the Elliott deserve better leadership and respect.

Please allow more time for public engagement. Please create and establish an Elliott management advisory authority consisting of experienced forest managers. Please consider implementing the Giesy Forest Management Plan.

Sincerely,

Jen Hamaker
President
Oregon Natural Resource Industries

From: [Russ Sapp](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Elliott forest and the Giesey Plan
Date: Sunday, April 7, 2024 9:35:22 PM

[You don't often get email from russs@cpi.coop. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Sent from my iPad My name is Russ Sapp, 5 th generation Oregonian and my grandsons are 7 th generation Oregonians. My great great grandmother was the first white child born in Tillamook county in 1853 and her name was Eudora Trask as in Trask River. I have served on school boards, fire boards and utility boards and currently set on the statewide ORECA board as well as Consumers Power board. I live in Alsea and like most members of my family, am very interested in civic matters. I am very excited about the opportunity to move the Giesey Plan forward and bring true research to Oregonians. For too long we have used outcome based education and called it best available science when it is often no more than political science. Our children and future generations deserve funding and truth with our natural resource policies. The Elliott Forest could provide many answers for this state as a research lab with real information. Thank you, Russ Sapp

From: [Jeff Eastman](#)
To: [DSL Landboard Testimony * DSL](#)
Date: Sunday, April 7, 2024 5:29:17 PM

You don't often get email from jeffseastman@gmail.com. [Learn why this is important](#)

Jeff Eastman
jeffseastman@gmail.com
503-556-9051
April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL).

I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Jeff S.Eastman



From the Office of

COURT BOICE, OREGON STATE REPRESENTATIVE

TO: Tina Kotek, Oregon Governor
LaVonne Griffin-Valade, Oregon Secretary of State
Tobias Read, Oregon State Treasurer

April 8, 2024

RE: 4-9-24 Meeting - Oregon State Land Board Action Item #6: Elliott State Forest

Please accept this written testimony as representing myself and the 75,000 citizens of House District 1, Southwest Oregon. My Counties of Coos, Curry and Douglas are of course the heart of the 90,000 acres of our fabulous Elliott. I propose proven, yet New Directions.

I remain in full support of the recommendations of the Oregon Websites & Watersheds Project, Inc. (ORWW). This practical plan removes management of the Elliott State Forest from the Department of State Lands (DSL) to have it governed by local Elected Officials, local Tribal, local Education, local Environmental, and finally local Business, and Industry Representatives.

A secondary, but another workable and comprehensive option is to publicly consider the 2024 ORWW GIESY PLAN in guiding current and future management directions. Then, should our State Land Board be unwilling to remove direct management from DSL at this present time, then I strongly support the Oregon Advocates for School Trust Lands (OASTL) recommendations. I believe your responsibilities should consider any decisions be delayed. That would provide crucial time needed to consider and analyze your current DSL proposal, and further would include the development of a more professional criteria for establishing a wise and inclusive advisory committee.

In representing Oregon House District 1, my biggest concern is that in the interests of “Study” and “Habitat Conservation,” historical examples provide critical and highly beneficial data we continue to ignore. Local Citizens, Tribes and Foresters understand time and again that sooner or later the lack of active management simply cannot be sustained and always results in more devastations from the Nuclear Fires. For example, in my life-time residence of our rugged Curry County alone, 11 major fires within the last 37 years have cost our Taxpayers a combined nearly \$½ Billion to fight!

Please Note: tragically then to this date essentially nothing in our Kalmiopsis Wilderness has been reforested. Add to that, those staggering costs, and unquestionable mismanagements; millions, many believe the statistics are that billions of birds and wildlife continue to be unnecessarily incinerated.

In the last two weeks of August 2023, I had 9 major fires going at the same time between Curry and Douglas Counties. Perhaps needless to say, this likewise cannot be sustained. Now is the time to change course! To mitigate these incalculable damages, following are just five of the things I believe our Oregon Division of State Lands should consider and perhaps implement immediately:

- 1) **Clear the underbrush, ladder fuels**, and competition from the old growth along the entry road and landing of the Jerry Phillips Reserve. This recommendation has been made several times through the years and could be completed in hours or days by small crews.
- 2) **Sell 50 mmbf of 50–60-year-old plantations** to resume profitable active management of the Elliott by transforming these areas toward more current values. We all need to be routinely reminded that Oregon grows the highest quality and fastest growing trees on the planet. We have a moral responsibility to manage well.
- 3) **Document all 550 miles of Elliott roads and trails** with video drones so that more informed management decisions can be made regarding their maintenance for public access.
- 4) **Please consider taking essential additional time to design and develop** a productive partnership between DSL, ODE, OSWA, ORWW, FFA, and OASTL in which School Districts, Counties, Tribes. and all related organizations and interests.
- 5) **Consider making a reasonable portion of the Elliott a State Park** for the principles and components of multiple uses and maximum public benefits and protection.

These approaches would clearly offer major improvements in the way of planning and solution options for Oregonians to learn more about forestry. A New Direction supporting a collaborative and comparative focus on the entire Elliott will in my and the view of numerous “Old Time Foresters – all walks of life” begin saving our Great Oregon Forests, Watersheds, Rivers, Fish and Wildlife starting with the Southwest Oregon Elliott.

Thank You. Sincerely,

COURT BOICE, Oregon State Representative – District 1 - including Curry and parts of Coos - Douglas Counties. Rep.CourtBoice@OregonLegislature.gov Phone (503) 986-1401

Coos, Curry, and Douglas Counties – The beautiful Southwest Corner of Oregon - The Timber Capitol of the World, Greatest Ocean, Most Pristine Rivers, Funnest Fishing, Finest Wines, Healthiest Cranberries, Rarest Easter Lilies, Best Golfing, and our World Wildlife Safaris – We invite you to visit soon.

Winston to Harbor - Myrtle Point to Langlois - Port Orford to Bridge - Bandon to Agness - Powers to Green Acres - Gold Beach to Looking Glass - Coquille to Ten Mile - Eastside to Carpenterville - Brookings to Dillard - Camas Valley to Fairview - Greens to Pistol River and Allegany...

From: [Jennifer Hamaker](#)
To: [SMITH Arin N * DSL](#); [BROWNSCOMBE Brett * DSL](#); [DSL Landboard Testimony * DSL](#)
Subject: SLB & DSL re; Elliott State Forest Management Proposal
Date: Sunday, April 7, 2024 11:54:44 PM

Some people who received this message don't often get email from jenhamaker1@gmail.com. [Learn why this is important](#)

To Oregon State Land Board and Department of State Lands,

Dear Governor Kotek, Secretary of State Griffin-Valade, State Treasurer Read, and Executive Director of State Lands Vicki Walker,

On the first page of the 'Exploring the Elliott State Research Forest' website says:

ESRF Oversight and Engagement

Ensuring accountability, transparency, and meaningful engagement is critical to establishing and operating the Elliott as a public research forest (<https://www.oregon.gov/dsl/Pages/Elliott.aspx>).

Yet, on April 2nd, the Department of State Lands (DSL) released its management proposal for the ESRF and requested that the State Land Board approve this structure on April 9th. With the deadline for public comments set for April 8th at 10 a.m. This is extremely concerning and not at all in alignment to the words on your website; accountability, transparency, and meaningful engagement. Closed-door and secret meetings with little or no public engagement surrounding the decisions for Elliott State Forest as a research forest managed by OSU as well as the 1 week time period for the decision at hand are a pattern of negligence, and are blatant and reprehensible towards public engagement.

Oregon Natural Resource Industries (ONRI) strongly opposes the 1-week time period to read, understand, and respond to the proposed management plan for the Elliott State Forest, especially considering the recent withdrawal of Oregon State University from the previous structure. We need more time to understand the proposed management plan especially because it looks like the same management plan that caused OSU to decline the management of the Elliott after several years of planning and hundreds of millions of dollars of taxpayer money being spent for OSU to manage.

No other meetings have been available to collect ideas about this governance plan. This hurried process denies citizens and organizations like Oregon Natural Resource Industries the chance to prepare alternative proposals or provide informed comments. We question the necessity of such speed in deciding the long-term future management of the Elliott State Forest.

Moreover, we strongly object to the DSL's proposed governance structure, which seems poised to repeat past mistakes by retaining DSL as the managing body and continuing its role in nominating board members. ODF should manage the Elliott State Forest for Greatest Permanent Value and the Common School Fund.

SB 1546 is dead, it sunset on December 31, 2023, when it did not complete the 6

required provisions. Of the six required SB 1546 enabling actions 2023 (as per SB 161's amendment of SB 1546 in 2023), only four were completed by the statutory deadline.

"THE SIX SB 1546 ENABLING ACTIONS

The following summarizes the enabling actions the Legislature required be completed by Dec. 31, 2023:

1. Satisfaction of financial obligations to the Common School Fund related to the Elliott State Forest;
2. Decoupling of the forest from the Common School Fund through a vote of the State Land Board;
3. Submission by the Department of a Habitat Conservation Plan (HCP) to federal agencies with jurisdiction under the Endangered Species Act, and initiation by the U.S. Fish & Wildlife Service of a final environmental impact statement pursuant to the National Environmental Policy Act;
4. Third-party contracted input on the Department's review of financial information submitted by Oregon State University (OSU), and a subsequent Department determination of financial viability;
5. State Land Board approval of a Forest Management Plan for the ESRF; and
6. Authorization by OSU's Board of Trustees of OSU's participation in management of the ESRF."

Oregon Natural Resource Industries is deeply concerned with the well-being of the Elliott State Forest. We believe that the State Land Board, as trustees of this forest, and the Department of State Lands are acting irresponsible and negligent.

As stated in the (materials for the April 2, 2024 meeting), 'Elliott State Research Forest (ESRF) Habitat Conservation Plan: Updates for Final Habitat Conservation Plan,' "DSL updated the HCP based on the Elliott State Research Forest moving forward without the existence of two implementation structure components assumed in the Public Draft HCP: (1) the ESRF Authority as a new state agency and management entity, and (2) Oregon State University (OSU) as the presumed contracted management partner. In November 2023, OSU's Board of Trustees determined not to take a vote to participate at this time, and in light of that decision, relevant significant portions of SB 1546 (the Oregon Legislature's organic act for the ESRF) became nullified." Also in this memorandum it was stated, "DSL considered and advanced revisions to the Public Draft HCP based on the ability to meet the following criteria:

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Our concerns:

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- DSL advanced revisions to the Draft HCP to advance a research forest based on directives of a legislature that passed SB 1546 with a required timeframe that was not met.
- Take Avoidance is a lot less expensive than and HCP to obtain an Incidental Take Permit.
- Whoever decided to advance with no supplemental Environmental Impact Statement is unqualified to make this decision. An EIS is absolutely necessary to not only understand the environmental and economic impacts but also to allow for a longer public comment period which is necessary especially given that the SLB and DSL has screwed up this whole situation so badly.
- 'Input from those who have expressed interest in HCP revisions through public comment' are being given a 1 week time period which is not enough time. Public comment is a box checked, it means very little to the final decision, as witnessed when the Board of Forestry passed the Western HCP after years of heated testimony. Now 5 mills have closed in Oregon.

In early March, Oregon Natural Resource Industries sent a letter to the members of the Joint Committee on Ways and Means and Subcommittee on Natural Resources regarding Executive Director Vicki Walker's inaccurate interpretation of the facts surrounding the Elliott debacle which continues to undermine the reason why the Elliott was originally created. The Elliott should be managed for the benefit of our children's future as well as for the economic, environmental, and recreational benefit of all Oregonians.

The Department of State Lands (DSL) and the State Land Board should be seeking management that supports the health and resilience of the Elliott State Forest and manage it for Greatest Permanent Value. However, if a research forest is what has been decided (without public input or time for public to comment), we suggest researching the impacts of HCPs ("Habitat Conservation Plans) on the environment, economy, recreation, and listed species and compare the results to a working forest that is managed under an active management plan like the Giesy Plan.

ONRI supports key points within the ORWW Giesy Plan Alternative. We would be very interested in seeing the results of the impacts of an HCP scientifically tested by the Giesy Plan in 20 years. We believe the results regarding the HCP will show that wildfire risk, economic hardship, very little fluctuations in listed species populations (until it burns), and a wedge between humans and our environment; and the results of the Giesy Plan will show a decrease in forest fuels that increase fire, economic prosperity, very little fluctuation in listed species populations, and a strong human connection to our environment.

Oregon is already governed under some of the strictest rules, regulations, and laws in the country regarding how we manage our forests. ONRI is opposed to HCPs, but we do support the Elliott being used to help prove that HCPs do not benefit Oregonians economically, environmentally, and recreationally.

The Oregon Board of Forestry just passed the Western Habitat Conservation Plan

which shuts down 57% of our state forests for 70 years. The Private Forest Accord has taken private timberland to protect listed species for 50 years through a Habitat Conservation Plan. The Federal Government shutdown millions of acres of timberland for the past 4 decades with very dismal results regarding listed species, but we do see a massive increase in forest fires. We'd like to pose a real and poignant question; How many spotted owls have been increased in population from HCP's? How many people have lost their homes or have been killed because of massive fuel loads on unmanaged timberland which is a direct result of HCP's?

To continue to use HCPs on our public forests, which do not result in the addition of listed species and could cause them to be burned in forest fires, and to not manage our forests for Greatest Permanent Value is negligent and irresponsible. The 1-week time period for the public to respond to proposed management is alarming.

Please allow more time for public engagement, and please consider implementing the Giesy Forest Management Plan.

Sincerely,

Jen Hamaker
President
Oregon Natural Resource Industries

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From: [Timothy Baker](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Land board testimony
Date: Sunday, April 7, 2024 6:24:53 PM

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Timothy Baker
timothybaker1381@gmail.com
541-953-9306
April 8, 2024

Oregon State Land Board
careoflandboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

I am writing to you to express concern about the process for implementing a new governance structure for the Elliott State Research Forest (ESRF) as outlined in the April 2nd proposal by the Department of State Lands (DSL). I object to the expedited timeline imposed for adopting the ESRF's governance structure. The April 2nd notice called for a decision by April 9th, and this severely limits meaningful public engagement. Such a short timeframe for such a significant decision prevents people and organizations from preparing thoughtful input or alternative proposals. I ask for a more inclusive and transparent decision-making process so all stakeholders' voices can be heard.

As an example of why a pause might be helpful, the State Land Board should take the time to consider the revised bylaws for the ESRF Board of Directors as proposed in Appendix A of Dr. Dave Sullivan's letter from the Oregon Advocates for School Trust Lands (OASTL). That would ensure ESRF's board is filled with people who have experience in forestry science and active forest management. It also would ensure the board operates independently of political influence, aligning with the need for science-led research forest.

In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Timothy Baker

From: [Michelle Van Beek](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: Elliott Forest
Date: Monday, April 8, 2024 9:50:55 AM

You don't often get email from motorheadsrus@hotmail.com. [Learn why this is important](#)

Michelle Van Beek
Motorheadsrus@hotmail.com
503-913-9159
April 8, 2024

Oregon State Land Board
care of landboard.testimony@dsl.oregon.gov

Dear Trustees of the Oregon State Land Board,
Subject: Objections to the Process of Implementing the ESRF Governance Structure and Support for Revised Bylaws

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In conclusion, I urge the State Land Board to reconsider the current process for adopting the DSL's proposed governance structure and to give due consideration to alternative governance structures. Such a reconsideration would represent a significant step toward a more effective and scientifically driven approach to managing the Elliott State Research Forest, benefiting the broader interests of Oregon's forests and communities.

Sincerely,

Michelle Van Beek

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)



NW Maps Co., Inc.
P.O. Box 1386, Cottage Grove, Oregon 97424
www.NWMapsCo.com

April 9, 2024

TO: Tina Kotek, Oregon Governor
LaVonne Griffin-Valade, Oregon Secretary of State
Tobias Read, Oregon State Treasurer

RE: Oregon State Land Board Action Item #6: Elliott State Forest

Please accept this written testimony as representing myself as an individual, and as President of NW Maps Co., a family-owned business I share with my grandchildren. I have commented separately on this topic as a Board Member of Oregon Websites & Watersheds Project, Inc. (ORWW).

I am in full support of the recommendations of ORWW to remove management of the Elliott State Forest from the Department of State Lands (DSL) and have it managed by local elected officials, Tribal representatives, and businesses instead; also to adopt or publicly consider the 2024 ORWW Giesy Plan Option in guiding current and future management direction.

Should the Land Board be unwilling to remove direct management from DSL at the present time, then I strongly support the Oregon Advocates for School Trust Lands (OASTL) recommendation that a decision be delayed, giving time needed to consider and analyze the current DSL proposal, and including development of more professional criteria for establishing an advisory committee.

Here are three things I think DSL should do immediately:

- 1) Clear the underbrush, ladder fuels, and competition from the old-growth along the entry road and landing of Jerry Phillips Reserve. This recommendation has been made several times through the years and could be completed in hours or days by a small crew.
- 2) Sell 50 mmbf of 50–60-year-old plantations to resume profitable active management of the Elliott by transforming these areas to more current values.
- 3) Document all 550 miles of Elliott roads and trails with video drones so that more informed management decisions can be made regarding their maintenance for public access.

A fourth recommendation would take more time to design and develop, but a partnership between DSL, ODE, OSWA, ORWW, FFA, and OASTL in which school districts, counties, Tribes, or other organizations could "adopt" one of the 24 named creeks in the Elliott. That would be a great way for Oregonians to learn about forestry, with a collaborative and comparative focus on the entire Elliott.

Sincerely,

Bob Zybach
Creswell, Oregon

From: [Ayla Hofler](#)
To: [DSL Landboard Testimony * DSL](#)
Subject: ESRF Bylaws
Date: Monday, April 8, 2024 1:35:38 AM

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April 8, 2024

Dear Trustees of the Oregon State Land Board,

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Sincerely,

Ayla Hofler
Land Use Consultant
CPO 14