



FPA Riparian Rulemaking for SSBT

Comment by Rex Storm, Associated Oregon Loggers, Inc.
before the Oregon Board of Forestry –September 7, 2016

Chair Imeson and Board members, my name is Rex Storm, Certified Forester and Forest Policy Manager for Associated Oregon Loggers (AOL). I make these comments on behalf of the 1,000+ AOL member companies, representing Oregon logging and allied forest management businesses—many who own forestlands and forest streams. Your consideration of Oregon Forest Practices riparian rules is of critical concern to our business.

We urge the Board to *reject* the Department's Relief Proposal of 8%; and instead adopt a 4% Relief Threshold.

You may recall that AOL supported the riparian rule concepts recommended by the Board's Regional Forest Practices and Committee for Family Forestland advisory committees. We did not support the Board's November 2015 riparian rule concepts.

I served on the Riparian rule Advisory Committee (RRAC), and have been engaged with the Department on this riparian rulemaking effort since its origin in 2013. AOL supports the consensus decision of the RRAC.

- However, the RRAC was unable to reach a consensus decision addressing the "relief provisions" given a limited set of landowners who would be excessively impacted by the rule.
- Absent agreement by the RRAC, the Department has proposed an 8% additional encumbrance threshold to trigger eligibility for relief. This 8% level would fail to prevent property takings. A number of small landowners would experience significant loss due to the new rule. And, the purported "relief" is not a meaningful gesture of reprieve to an impacted landowner.
- During RRAC proceedings, AOL and the landowners recommended a 4% additional encumbrance threshold to trigger eligibility for relief. Today, I urge you to adopt the 4% threshold for relief—as a reasonable and meaningful measure accepted by cooperators.

I make this recommendation in respect for the Board's 45-year commitment to Oregon's Forest Practices Act and Rules, which evolved in the spirit of cooperative stewardship with the Board's advisory committees and forest cooperators. Your cooperators include the landowners, operators, and rate payers who uniquely share in the State's expense of Oregon forest resource protection—unlike in other states or in other land uses. These cooperators teamed with the Board and Oregon Legislature to author the Act in 1971, and together continue strengthening it. This marriage has forged America's most respected forest law through cooperation between the state and private sector.

Thank you for assuring effective FPA rulemaking that would be willingly employed by Oregon's forest cooperators. I look forward to assisting the Board, Department, and landowners in this cooperative stewardship.

