



Council of Forest Trust Land Counties

1212 Court St. NE | Salem, Oregon 97301

January 3, 2024,

Good afternoon, Chair Kelly, members of the Board of Forestry, State Forester Mukumoto, and Staff. For the record, my name is Erin Skaar and I am a Tillamook County Commissioner and the Vice Chair of the Forest Trust Land Advisory Committee (FTLAC).

I am here today representing FTLAC pursuant to our statutory responsibility to advise the Board of Forestry and the State Forester on matters regarding the State Forest Lands (ORS 526.156).

Since being elected as the Vice Chair I have spent time talking with Chair Sweet and Trust Land County Commissioners, reflecting on the relationship between FTLAC, the Department and the Board of Forestry. As we look to the future, I want to spend just a few minutes to reflect on the past and set what we hope will be a new tone for our communications. You have heard us say many times how financially damaging the impacts of this HCP will be to counties, schools, and special districts. We have detailed out the social impacts for you. In our last meeting, Chair Kelly tallied for all of us the number of comments and hours of testimony you have received. We know that you have heard us and must trust that the impacts we have shared will be factored into the decision that lies ahead of you. As such, we continue to be available as local experts on these topics and encourage you to come to us for more information as needed for your decision.

Moving into communications for the future, I want to begin by thanking you for organizing the joint Board of Forestry and FTLAC meeting on December 14th . That meeting gave us the opportunity to talk broadly about what we are trying to achieve with an HCP, as well as allowing us to jointly discuss the harvest and revenue projections based on the updated modeling done utilizing the assumptions from the Habitat Conservation Plan and Forest Management Plan. I felt some of the critical pieces of common ground in the conversation were in establishing that both the Board of Forestry and the counties understand the need for the HCP to comply with the Endangered Species Act and to protect the Department from costly litigation. In addition, I was heartened to hear many of the Board of Forestry Members express concerns similar to those of the FTLAC members as the model results were reviewed.

It seemed that we shared concerns with the uncertainty – while the modeling was done with the best information available, in modeling there is inherent uncertainty. The harvest and revenue numbers coming from this modeling show a significant decrease, which if accurate, creates uncertainty in ODF's ability to fund itself at anywhere near current levels. As State Forest Division Chief Mike Wilson noted in the joint meeting, lack of funding results in reduced activity by ODF, which could put implementation of forest management plans at risk, hindering ODF's ability to manage for Greatest Permanent Value. I believe we all left that meeting understanding the challenge of implementing a policy that could lead to significant financial distress to the Department, the counties, special districts and local economies.

Yesterday afternoon we received an email from Mike Wilson quoting the US Fish and Wildlife Service. Our

understanding is that Mike Wilson's email has been shared with all of you. The email, while answering a question posed by the Board and the Counties about what appears to be "excess" habitat created inside the HCA's in the modeling, raises additional questions for all of us and ones we hope the Board will ask of ODF to answer.

The USFWS is quoted saying, "the FWS has not negotiated or evaluated the proposed HCP using the habitat represented by the dashed line as a target, goal or objective." ODF has presented a habitat commitment since the Draft HCP first came out. We learned during the Joint meeting that projected habitat exceeded the commitment due to various uncertainties. However, just yesterday in the Services email, we found out that the Services are not basing their analysis on this commitment. We hope you will ask for clarity on how the HCA acreage and habitat commitment were selected.

FTLAC let you know during the Joint meeting we want to work with you on the management of the State Forests. We cannot help you make decisions on how State Forests should be managed for GPV if we do not have the complete information. In order to know if this HCP is appropriate for state forest lands and the citizens of Oregon, all parties need to know the metrics ODF has been using to ensure it achieves the issuance criteria and Greatest Permanent Value as required by the HCP Handbook and Oregon Administrative Rule and statute. The modeling is good information but there is still more we all need to understand about the information and analyses ODF used to develop the HCP before we can tell if it is right for Oregon's State Forests.

In our role as advisors to the BOF and Department, FTLAC suggests the Board of Forestry to direct ODF to fully explain the metrics that have been chosen and why they are the right metrics. In addition, given the revenue reductions, we ask that ODF explore any and all solutions that can reduce the financial impact of the HCP before moving forward with a decision. This leaves us trusting our experts at ODF to take one more long hard look at the HCP and any options that exist to increase harvest to reduce the impacts as much as is possible. While we know these actions will not allow for revenues equivalent to the past to be fully realized, this work will support the next set of actions we are suggesting we would need to work together to accomplish.

We must have a shared understanding of why this is the right configuration of HCA's and Harvest areas in the HCP, and we must minimize the negative financial impacts of the HCP prior to moving it forward. Once it is complete, we expect that there will still be a shortfall to the department and trust counties that will need to be filled by a monumental change in how we are all funded. We expect that the people of Oregon will need to support the department and the counties through an act of the legislature that allocates general fund money. There is no precedent for this that I am aware of, and it will take a great deal of work by all of us if it is going to happen.

We must be able to easily and fully explain why this is the right HCP and is worth the investment by our tax payers. FTLAC seeks to work with the Board and ODF to tell our shared story to the legislature in order to assure that everyone has the funding they need. Also, we need to ensure that the Department has the funding they need to accomplish all aspects of Greatest Permanent Value. We believe, however, the bigger the ask, the less likely we are to get the funding we need. We must work to reduce the financial impacts first.

We've heard from the department that there are timeline concerns if we make changes at this point. A bigger concern is that if we do not take the opportunity to fix the HCP to lessen impacts on the Department and counties, and better retain the ability of the state to manage for Greatest Permanent Value, the 70-year commitment to this HCP will be for nought, and the goals will not be achieved. I believe we all want to ensure that if we do this, we do it right.

We are ready to help in this endeavor and look forward to continuing open and collaborative conversations with the Board.

Respectfully,
Erin Skaar
Vice Chair, Forest Trust Land Advisory Committee