**The Honorable Peter DeFazio**

**Oral Testimony before the Senate Energy and Natural Resources Committee**

**Full Committee Hearing: To consider pending forestry legislation**

**February 6, 2014**

Thank you, Chairman Wyden, for inviting me to testify and for your leadership on this critical issue to Oregon.

When I ran for Congress in 1986, the BLM was logging 1.53 billion board feet per year – about 10 times the current level of harvests. The BLM was clear-cutting irreplaceable old growth forests. They were logging on steep slopes which destabilized soil, buried fish-bearing streams, and threatened drinking water supplies.

Logging 1.53 billion board feet per year helped put the spotted owl on the Endangered Species list.

In 1986, I said that level of timber harvest on the O&C Lands was unsustainable. **It was – and continues to be – out of step with the environmental and social values of most Oregonians**.

In the 1990s we tried to reform forest management in the Pacific Northwest with something called the Clinton Northwest Forest Plan. I opposed that plan too. I didn’t think it would solve the fundamental problem in Western Oregon: permanently protecting old growth and conservation values while ensuring a predictable, sustainable supply of timber that is necessary to support rural communities and basic county services.

I am not one to gloat, but I was right. The pendulum has now swung the other way. Timber harvests on the O&C Lands are down 80-90 percent – a reduction beyond anyone’s wildest imagination.

Due to the lack of a predictable timber supply, the last remaining mill in Josephine County, a family owned business for 90 years, recently closed its doors. They were forced to lay off 88 people in a rural community with a population of less than 2,000. Josephine County is 70 percent owned by the federal government and is surrounded by federal forest lands in need of management. **That’s not right.**

Current management of the O&C Lands has also left rural counties – whose budgets are statutorily linked to these lands – on the cusp of insolvency. In some counties, there is little or no rural law enforcement at all. A year and a half ago, news reports recounted the devastating story of a woman who was assaulted and raped by an ex-boyfriend. He was standing on her doorstep trying to break in while she was on the phone with a 911 dispatcher. The Sherriff’s Department didn’t have anyone to send.

**The status quo – bankrupt counties, 15-20 percent real unemployment, one out of every four people on food stamps, a fifth of the rural population living below the poverty line, unhealthy forests – isn’t what Oregonians want either.** It’s time to move away from the extremes – from the swinging pendulum – to find and legislate a reasonable and balanced solution.Chairman Wyden, I know we can do that.

You and I, together with the governor and members of the Oregon Delegation, have agreed to principles: predictable revenues to help counties provide basic services and meet their state mandated responsibilities; a sustainable, uninterrupted timber supply to create good paying jobs and support the local infrastructure; and significant, lasting conservation victories like protection for old growth, drinking water, and imperiled species.

On the House side, Congressman Walden, Congressman Schrader, and I took our best shot at a balanced plan. It’s not the bill any one of us would have written alone – but one we believed to be consistent with our agreed upon principles and one that could, and did, pass the House of Representatives.

Our solution uses a “trust” concept. Mr. Chairman, you have made it clear that a trust concept cannot pass the Senate and would likely face opposition from the Obama administration. While I still think there are benefits to a trust concept, I acknowledge the current political reality and believe our agreed upon principles can be legislated through a different construct – such as the construct proposed in your O&C bill.

**But I believe your bill will need to be modified to achieve those principles**. In order to provide adequate revenues and timber supply, the land base will need to be expanded. Inclusion of the Public Domain lands and working creatively to deal with the O&C Controverted Lands are possible solutions.

The harvests need to be geographically dispersed to provide for the remaining, local infrastructure and so we don’t neglect the management needs of our forests in Southwest Oregon. We need **certainty** that the projects authorized in the bill will occur.

And, a huge priority for me – and the governor – is a more coherent policy for protecting our rivers, streams, and aquatic features. In the House bill, I was able to secure language to dedicate 5 percent of net revenues to protecting rivers and streams on neighboring private lands. The concept is to purchase easements from willing land owners to create contiguous riparian buffers on private and federal lands. This is something that is supported by industry, the counties, and governor Kitzhaber, who has committed to matching federal dollars with state monies.

If we are going to pass a bill into law, everybody at the table needs to know what they are getting. We need reasonable certainty. The counties need to know the range of revenues they can expect so they can plan accordingly. Local businesses and the timber industry need to know what timber supply can be expected so they can build viable business plans. And the general public and conservation community need to know that iconic, irreplaceable natural treasures will be protected and conserved for future generations.

Certainty is going to require compromise. Congress is not going to solve all of the counties’ financial problems. But we can pass a bill that creates jobs, provides a reasonable level of revenues, and gets rural economies growing again. And, who knows, maybe if real unemployment dips below 15-20 percent in some of these counties the voters will pass ballot measures to increase funding for jail beds, patrol officers, and other county services.

Congress can’t and won’t legislate a 1986 timber plan. But Congress can and should pass a timber plan that increases volume to a meaningful level. The House and Senate bills propose to increase timber harvests that are 30-40 percent of historic levels. That’s not unreasonable.

Finally, more conservation groups need to come to the table and engage constructively in the legislative process. We have better science, data, information, and experience than when the Northwest Forest Plan was adopted.

Because we lacked this information, the Northwest Forest Plan adopted conservative protection measures that should be revisited. Thanks to work being done by scientists at Oregon State University, we now know the one-size-fits all riparian protections can – **in some cases** – be reduced without sacrificing ecological or aquatic function.

We now know that some terrestrial and wildlife goals of the Northwest Forest Plan have not been met. The lack of regeneration harvests on O&C Lands has led to a deficiency in early seral stage forests, which support numerous species of plants and animals, including elk and deer. Two of the Gang of Four who wrote the Northwest Forest Plan, one of whom is sitting here today, have proposed cutting edge science that address this ecological issue and to improve forest resiliency and health in the long-term.

So questioning the motives of esteemed scientists – the same scientists who wrote the Northwest Forest Plan many conservation groups tout; endlessly challenging and litigating modest scientific demonstration projects; sponsoring misleading and downright false billboards and advertisements back home to scare the general public; and flat out refusing invitations to join with diverse stakeholders to build a balanced Oregon plan for a uniquely Oregon problem… those things won’t work.

These same people are advocating for the status quo—but the status quo has failed Oregon.

It has failed the children in these counties, who have walked up to their county library looking to check out a book for a school project to find a locked door. It has failed the sheriff’s deputies who have been served a pink slip because the federal government couldn’t live up to its obligation.

It has failed the justice system, which has been forced to turn a blind eye to criminals as they walk out the doors of the county jail due to lack of available beds. The status quo has failed victims of horrific violence, who have dialed 911 desperately looking for help, only to be told there was no one around to protect them.

This is it. This is the best, and maybe the last, opportunity to fix the crisis in Southwest Oregon before counties completely dissolve. And once they dissolve, we don’t know how to get them back.

**The Delegation wants to move forward. Oregon needs to move forward.** We need a long-term solution to stop the endless forest wars that are undermining our rural communities, our counties, and the health of our forests. We can do this. And, it needs to happen this year.

Thank you.