

July 21, 2020

Peter Daugherty  
State Forester  
Oregon Department of Forestry  
2600 State Street  
Salem, Oregon 97310

RE: ODF preliminary report on Oregon Climate Action Plan (EO 20-04) implementation

Dear Mr. Daugherty,

We are writing to share our concerns with the Oregon Department of Forestry's (ODF's) preliminary report on proposed actions within the agency's statutory authority to reduce greenhouse gas emissions and mitigate climate change impacts in response to Gov. Brown's Oregon Climate Action Plan (Executive Order No. 20-04).<sup>1</sup> We greatly appreciate the opportunity to comment on the report, which unfortunately fails to fulfill the directives laid out in the Governor's order.

Our most pressing concern with ODF's preliminary report is that it does not set agency-wide goals or actions to achieve the greenhouse gas emissions and climate change mitigation goals called for in the EO. ODF simply provides a record of current activities, claiming that the agency is already doing everything necessary and that it should be trusted. The result is a report lacking substance that does not set the agency up for success in working with the Oregon Global Warming Commission (OGWC) to achieve the goals of the Executive Order. We recommend that ODF produce a report that 1) is based on the best science, 2) includes a process for carbon accounting, 3) presents specific strategies for public engagement, 4) proposes concrete goals to enhance carbon storage in Oregon's forests, and 5) establishes a rulemaking advisory committee that is diverse and includes experts and representatives from tribes and other marginalized and impacted communities.

**Reducing Emissions from Agency Staff Actions is Insufficient:** While we appreciate ODF's efforts to reduce the carbon footprint of agency staff, the goals provided in the preliminary report are inadequate and do not completely address the expectations or objectives of the Governor's order. The section "Agency Reduction of Greenhouse Gas (GHG) Emissions" states that ODF has begun evaluating, and will continue to evaluate actions, towards reducing GHG emissions in a cost-effective manner, including:

- "Expand and encourage utilization of remote meeting technology to reduce vehicle travel to and from the numerous meetings agency staff and associated committees are regularly involved.
- "Reduce building energy and electrical consumption through technological and personal action (e.g. power sensors, shut off lights and computers off when not needed).
- "Utilize electric vehicles where reasonable as fleet replacements arise. Identify and facilitate additional telecommuting options where appropriate."

While we applaud ODF for recognizing that these actions will help reduce agency greenhouse gas emissions, if achieved, they will result in marginal reductions at best. Further, these basic efforts should already be the practice of any energy-conscious organization, especially a state agency. It is disappointing that it has taken an Executive Order from the Governor to prompt ODF to begin evaluating the adoption of these practices. Beyond the section on agency greenhouse gas emissions reductions, the report neither offers clearly defined goals nor actions for achieving them.

**ODF Has the Statutory Authority to Take Action:** It is particularly disturbing that ODF reports under “Statutory Authority Review” that it seeks Department of Justice clarification of Board authority to set climate change policy and take climate change into account in development of new rules or revisions of existing ones. ODF’s very mission<sup>7</sup> is “To serve the people of Oregon by protecting, managing, and promoting stewardship of Oregon’s forests to enhance environmental, economic, and community sustainability.” Meanwhile, under “Forest Carbon Offsets” in this EO response, the agency acknowledges that it has the statutory authority to establish a program of carbon offsets. The only purpose of a carbon offset program is to reduce greenhouse gas emissions and mitigate climate change. Thus, ODF accepts in this report that it has the authority to adopt climate change policy and take climate change into account in development of new rules or revisions of existing ones. Seeking DOJ advice on ODF authority to address climate change is either redundant or a delay tactic.

ODF must not only recognize the objectives of the EO, but provide a plan for achieving those goals. That plan should include:

- Specific actions that ODF will undertake, including a projected timeline for those actions.
- An explicit period and mechanism for allowing and incorporating public and expert testimony and comment.

**Recommendations: Given the initial ODF report, here are our specific suggestions for the agency to meet the mandate of the EO:**

**ODF Needs a Plan Based on the Best Available Science:** We note that while ODF is awaiting the results of further study on Forest Carbon Sequestration and Flux, the Oregon Global Warming Commission’s 2018 Forest Carbon Accounting Report<sup>2</sup> proposed actions that could be taken to increase carbon storage in Oregon’s forests: “reforestation, afforestation, longer harvest rotation periods (to 80 years) on private forestlands and an additional 50 percent reduction in harvest on public (federal and state) lands.” That report even identifies the Net Ecosystem Carbon Balance that would be achieved by such actions. Meanwhile, in the arena of Wood Products Carbon Flux, this issue has been studied as long ago as 2006<sup>3,4</sup> with Wilderness Society summaries published in 2007<sup>5</sup> and 2009<sup>6</sup> identifying the carbon percentage stored in timber products as only 15% of that present in the logged tree. There is no viable reason to delay action when adequate study has been undertaken already and results reported. It is disturbing to see ODF take the approach of awaiting further study without identifying why previous studies are inadequate.

**ODF Needs a Plan that Adopts Independent Carbon Accounting:** ODF needs to adopt a process of carbon accounting that will provide data on how much carbon is currently stored in Oregon’s forests, how much is influenced by logging practices, and what practices will best maximize long-term carbon storage. Lifecycle analysis of carbon and other greenhouse gas emissions that result from forest management will inform what measures ODF can take to work with other agencies and stakeholders to combat climate change.

**ODF Needs a Public Engagement Strategy Regarding Decision-making:** There is no clear plan to solicit public participation in the process of rule-making. Without a plan for including public input or testimony the plan is lacking one of the most critical components of state agency rule-making. Other agencies have included extensive strategies for robust public engagement in their initial reports. By forgoing comments and testimony from the public and experts ODF cannot make informed decisions about what is best for Oregon communities or for our forests.

**ODF Needs to Propose Goals to Enhance Carbon Storage in Oregon’s Forests:** Roughly half of Oregon is forested; ODF has statutory authority over nearly one third of that landscape totaling approximately 10 million acres. The globally significant carbon storage capacity of these forests is outlined in the 2018 Oregon Global Warming Forest Carbon Accounting Report<sup>2</sup>. The EO<sup>1</sup> directs ODF, in coordination with OGWC, Oregon Department of Agriculture, and Oregon Watershed Enhancement Board to, “...*submit a proposal to the Governor for consideration of the adoption of state goals for carbon sequestration and storage by Oregon’s natural and working landscapes, including forests, wetlands, and agricultural lands, based on the best available science.*”<sup>1</sup> Thus, ODF has a responsibility to propose forestry goals that would enhance forest carbon storage. The initial report fails to propose any policy recommendations or forestry practices that would help the state of Oregon meet its GHG emission reduction goals.

**ODF Needs to Establish a Rulemaking Advisory Committee (RAC):**

- The RAC should be similar to RACs established by other state agencies.
- ODF should appoint a diverse combination of public interest, industry, tribal, and rural representatives to the committee.
  - The established RAC should:
    - Include as many or more public interest representatives as industry representatives. Representatives of the environment, public health, and environmental justice have important voices to bring to the table on issues that impact our forests.
    - Appoint a demographically (age, race, gender, etc...) and geographically diverse RAC. Diverse perspectives can help make the design of the program stronger.
    - Ensure expertise in climate science and climate change mitigation are represented on the RAC. Decisions to address climate change must be informed by science.

We urge ODF to consider and incorporate the above recommendations as it works to implement the directives of Executive Order 20-04 and help our state reach the greenhouse gas emissions reduction targets in that order. Thank you again for the opportunity to

comment on the preliminary report. We look forward to participating in the discussion of policy considerations ahead.

Sincerely,

350 Eugene  
350 Salem Oregon  
350.org Washington County  
350deschutes  
350PDX  
Beyond Toxics  
Cascadia Wildlands  
Clackamas Climate Action Coalition  
Climate Conversations  
Climate Solutions  
Coast Range Association  
Douglas County Global Warming Commission  
Engineers for a Sustainable Future  
Indivisible, Southern Oregon  
Klamath-Siskiyou Wildlands Center  
OLCV Metro Climate Action Team (MCAT)  
OneSmallThing PDX  
Oregon Environmental Council  
Oregon Physicians for Social Responsibility  
Our Climate  
Pacific Forest Trust  
Renew Oregon  
Residential Energy and Water Intelligence (Res-Intel)  
Rural Oregon Climate Political Action Committee (ROCPAC)  
South Umpqua Rural Community Partnership  
Southern Oregon Climate Action Now  
Southwestern Chapter of The Climate Reality Project  
Western Environmental Law Center  
WildEarth Guardians

- 1- Executive Order 20-04  
[https://www.oregon.gov/gov/Documents/executive\\_orders/eo\\_20-04.pdf](https://www.oregon.gov/gov/Documents/executive_orders/eo_20-04.pdf)
- 2 - Oregon Global Warming Forest Carbon Accounting Report 2018  
<https://static1.squarespace.com/static/59c554e0f09ca40655ea6eb0/t/5c094beaaa4a99fa6ad4dcde/1544113138067/2018-OGWC-Forest-Carbon-Accounting-Report.pdf>
- 3 - Smith, J.E., Heath, L.S., Skog, K.E. and Birdsey, R.A. 2006. Methods for calculating forest ecosystem and harvested carbon with standard estimates for forest types of the United States. Gen. Tech. Rep. NE-243. Newtown Sq., PA. USDA Forest Service, Northeastern Research Station. 216 p.

- 4 - Gower ST, McKeon-Reudifer A, Bradley M, Refkin DJ, Tollefson T, Souba FJ, Taup A, Embury-Williams L, Schiavone S, WeinBauer J, Hanetos AC, Jarvis R 2006 Following the paper trail: the impact of magazine and dimension lumber production on greenhouse gas emissions: a case study. The H. John Heinz II Center for Science, Economics, and the Environment, Washington DC
- 5- Ingerson, Ann L. 2007. U.S. Forest Carbon and Climate Change. Washington, D.C.:The Wilderness Society. [https://www.nrcm.org/wp-content/uploads/2013/10/TWS\\_US-Forest-Carbon-and-Climate-Change\\_2007.pdf](https://www.nrcm.org/wp-content/uploads/2013/10/TWS_US-Forest-Carbon-and-Climate-Change_2007.pdf)
- 6- Ingerson, A. 2009 Wood Products and Carbon Storage: Can Increased Production Help Solve the Climate Crisis? Washington, D.C.: The Wilderness Society. <https://www.sierraforestlegacy.org/Resources/Conservation/FireForestEcology/ThreatsForestHealth/Climate/CI-Ingerson-TWS2009.pdf>
- 7- Oregon Department of Forestry Mission <https://www.oregon.gov/odf/aboutodf/Pages/default.aspx#:~:text=Mission,%20%20economic%20%20and%20community%20sustainability.>

CC: Kate Brown, Governor of Oregon; Cathy MacDonald, Chair Oregon Global Warming Commission; Kristen Scheeren, Energy and Climate Change Policy Advisor to Governor Brown; Jason Miner, Natural Resources Policy Director for Governor Brown