

Forest Accord Summary from Bob van Dyk

Forest Friends,

I am very pleased to convey that the parties have reached agreement in the Private Forest Accord. As many of you know, 13 conservation and fishing groups joined 13 timber representatives to negotiate new rules for the Oregon Forest Practices Act in early 2020.

The negotiations moved into high gear over the last year, with many weekly meetings every week for 9 months. There were plenary meetings, subgroup meetings, leadership meetings, caucus meetings. (Too many meetings.)

This all came to a head this week when the parties met mask to mask in Portland for the week with a deadline of yesterday, October 29, to get agreement (or return to the unhappy political maneuvering of the past). The Governor stayed close to the talks, including working yesterday in person from 8AM until we signed the final documents around 1AM. She personally led the shuttle diplomacy to the very end.

So what is in the deal? A lot. But before I cover that, let me say we tried to get a lot more, and made some super painful compromises. But on the whole we decided to agree, because of the things below.

Big changes in current stream buffers.

For Westside -- all no-cut, slope distance measures.

110 feet on large and medium fish, 100 on small fish (for reference, current small fish streams are at around 20-25 feet.).

75 feet on large and small non-fish.

Really big changes on streams that currently get no buffer.

Non Fish Perennial that flow to Salmon/Steelhead streams:

-- 75 feet for first 500 feet and then 50 feet for 650 feet. 1150 feet total.

Non Fish Perennial that flow to other fish streams without salmon species

-- 75 feet for 600 feet

Key non-fish and seasonal streams that provide large wood:

-- 25 feet for varying distances, often around 1000 feet in length.

We're especially pleased with these changes, which promise more wood, less warm water, and a lot of carbon storage, too. The total number of streams affected by this are not easy to calculate, but certainly several tens of thousands of miles, probably closer to 60k miles over 10 million acres.

Roads: Big changes here. In fact about 20 pages worth of changes!

-- Highlights include. All large landowners must do an inventory of all their roads and make sure they are all up to new standards over 20 years; massive commitments to upgrade culverts, provide fish passage, and build to new standards for flow and fish passage. (For wonks: 100 year flood level sizing for culverts and 1.2 times active channel width for most fish passage structures.) There are also new standards for where and how roads can be built. A major addition is a strong and focused effort to ensure all roads are hydrologically disconnected (Translation: work your ass off to keep polluted water from logging roads from getting to streams!) There is also a strong commitment to use the latest technology (LiDAR) to find and address abandoned roads. And a lot more...

Stream Typing: (huh?)

Well as you look at those stream types described above (fish/non-fish, perennial v. non) it turns out it is no easy thing to figure out whether fish use a stream (fish are crafty and move around) and whether a stream flows all year. And it really matters because the type of the stream affects the buffer it gets. Thus they call this "stream typing." It is a hornet's nest of controversy. We made big progress here. In short, ODFW will become a central keeper of the typing data, and the latest and best science and technology will be used to build, test, and rationalize this information. Currently the ODF data on this is okay at best and more often (expletive deleted).

Small Forestland Owners (SFOs) get serious attention. They've got much of the best salmon habitat in their lowland properties, and this deal makes some big changes for them.

-- Creation of a significant new office dedicated to SFOs to educate and support them.

-- New minimum standards for harvest on their streams that are lower than the "Standard Prescriptions" above, but also very strong tax credits to reward owners that follow the new standards. These tax credits will encumber a property for 50 years if an owner takes advantage of them.

-- Requirements that SFOs provide data on fish passage and road condition if they want to harvest their properties.

-- A new commitment to increase state subsidies for upgrading fish passage and roads on SFO streams.

Compliance and Monitoring and Adaptive Management

This boring but important area gets a complete overhaul. There is a new and diverse stakeholder body to direct science work, including funding to ensure support for participants on the stakeholder group. There is an independent science team to do the studies and report them to the Board of Forestry. There are new requirements for access to lands so the state can conduct compliance. (Believe it or not under current law the state is not allowed to enter a landowner's property without permission to assess if public resources are protected when harvests

occur. Hire a contractor to add an outlet in your kitchen, you must allow the government inspector to check. Clearcut thousands of feet near fish-bearing waters. No inspection without permission. Well, that is over.) There will be much improved access for science studies, too. And yes, even 527.714 gets some important changes (looking at you, Mary Scurlock).

Beaver:

Big changes here:

- all beaver killed on private forestland will be reported to ODFW. We've needed this for a long time to get basic population monitoring.
- prohibit commercial trapping of beaver on large private forest ownerships.
- Prioritize non-lethal strategies for addressing beaver conflicts on forestlands.
- Participate with ODFW in a voluntary relocation program.

New Mitigation Fund

Landowners commit to \$5 million per year and State \$10 million per year for mitigation, which can take all kinds of forms. This is for 50 years.

Well there is more, quite a bit more, (sounding like a Ginzu knife advertisement now), but that is all for now (and most of the big stuff -- though Eastside streams were covered, too, as well as habitat for some amphibian species). More on all this in written documents pretty soon.

A few final things: There are lots of thank yous to make. I will save those for later. I may have been our de facto leader, but there is a long list of policy, scientific, and legal experts who made this happen.

And as for me, the words of Mark Twain help here: "I'm glad I did it, partly because it was worth it, but mostly because I will never have to do it again."