

Modernizing Oregon's Forest Practices Act

A Comprehensive Reform Package for the 2017 Legislative Assembly

Oregon's Forest Practices Act (OFPA) is one of the weakest forest practices laws in the region and has not been substantially improved since it was enacted in 1972. Protections for drinking water supplies, soils, wildlife, fish, scenery and climate fall far below scientific standards as well as standards adopted by the federal government and neighboring states. Economic incentives fail to promote best practices that achieve greatest permanent value of forestlands for the State's economy.

Comprehensive reform should be a priority for the 2017 Legislative Assembly.

Key provisions of a comprehensive reform package should include:

- **Forest management and timber harvest plans.** Currently, industrial forestland owners can clearcut vast tracts of Oregon's forests with little notice, coordination with nearby landowners, or environmental review. This makes it difficult for state agencies to ensure that public trust resources like water quality, wildlife, fish and soils are protected. **This provision would require large forestland owners (>5,000 acres) to file ten-year forest management plans (FMPs) that disclose timing and location of planned logging operations, how sensitive resources will be protected, and what steps will be taken to protect the interests of all those affected.** Logging cannot commence without State Forester approval of FMPs after a multi-agency and multi-stakeholder consultation process has been completed. In addition, for all owners, timber harvest plans (THPs) would need to be filed in advance of individual logging operations.
- **Limitations on cumulative watershed impacts.** One of the OFPA's greatest weaknesses is its failure to regulate cumulative watershed impacts that arise from multiple forestland owners conducting too many logging operations over a short period of time – a weakness that has resulted in entire watersheds, some used for drinking water, to be clearcut from top to bottom in just one year. **This provision would establish thresholds of concern in each watershed, such as the amount of forest cover (real forests, not tree plantations) that must be left on a continuous basis, and prohibit logging operations that cause those thresholds to be breached.** To provide flexibility, forestland owners can trade logging rights with each other on an annual basis so long as the total amount of logging within each watershed stays within prescribed limits.
- **Adequate buffers for all streams, rivers, wetlands, and other water resources.** Clearcutting and other industrial forest practices have made a mess out of Oregon's waters. Sediments, pesticides and herbicides and thermal pollution from loss of streamside habitats are found in every water body that drains from heavily logged lands and have decimated once-productive salmon and steelhead fisheries. **This provision would establish science-based buffers for all water resources to begin to reverse the damage and prohibit clearcutting or chemical sprays in any watershed used for drinking water.**
- **Protection for Native American cultural sites, big legacy trees, plant community diversity and other special resources.** Native American sacred sites and other cultural and historic resources have no protection under the OFPA. Nor do medicinal and edible plants and rare plant communities. Nor do sensitive sites for most wildlife species, including denning and calving sites for bears, elk, and cougar. **This provision would require the Board of Forestry to promulgate rules to fill in the gaps.**

- **Prohibitions on logging of sites with high landslide risk.** Clearcuts increase the rate of landslides by 200% relative to the natural background rate. The OFPA allows clearcutting on most high risk landslide locations. **This provision would prohibit logging on all landslide-prone sites that pose intermediate or substantial public safety risks and prohibit clearcutting on all high risk landslide areas not only to protect public safety, but to keep our productive soils from washing out to sea.**
- **Requirements for conservation and restoration of old growth forests.** Recent inventories confirm that less than 3% of state and private forestlands in Oregon support their natural endowment of large, multi-storied old growth conifer forests. The loss of old growth temperate rainforests west of the Cascades will be permanent unless measures are put in place to require long rotations and thinning of dense tree plantations to encourage the growth of large trees. Ecologists in both state and federal agencies say we need to have at least some old growth forests restored on state and private lands to meet regional conservation goals. **This provision would help achieve these goals by protecting what little is left and requiring corporate landowners to consult with state fish and wildlife experts to set aside portions of their ownerships dedicated to the development of late successional and old growth forest conditions.**
- **Flexibility for county, city, and water districts to enact more stringent regulations.** The OFPA contains a needless provision restricting the ability of local governments including water districts to adapt forest practice rules to local conditions to better protect at-risk resources. **This provision would eliminate that restriction and permit more stringent requirements where counties, cities, and water districts have determined that they are necessary.**
- **Closure and decommissioning of hazardous logging roads.** The extensive network of logging roads that permeate Oregon's forests is one of the biggest sources of damage to water quality, fish, and wildlife that need interior forest conditions. **This provision would require landowners to identify the most problematic roads and commit to programs to decommission or upgrade such roads to reduce sedimentation and remove barriers to fish passage.**
- **Economic incentives – forest carbon tax and reward.** Industrial forest practices represent one of Oregon's largest sources of greenhouse gas emissions. **This provision, included in companion legislation, would establish a forest carbon tax and reward system to incentivize zero-emissions forest practices.** The tax would only be levied on volume harvested in excess of natural forest growth in order to incentivize an ecologically sustainable yield. Proceeds from this tax will be used to provide incentive payments as a reward to landowners who commit to forest management techniques that result in a continuous increase in carbon storage.

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