

IV. Oregon's Land Use Planning Program

The state of Oregon was one of the first in the country with a statewide program for comprehensive land use planning. The program is overseen by the Oregon Department of Land Conservation and Development and their commission (the Land Use and Development Commission or LCDC). Zoning rules and regulations are implemented and managed by county and local governments. LCDC established a number of statewide goals, some of which directly relate to protecting forest land from being lost to non-forest uses. The overall statewide planning system has been well studied and additional details can be obtained from some key publications (Abbott *et al.* 1994, Knapp and Nelson 1992, Wiley 2001). Two particular goals relate to forests in Oregon and are described in more detail below.

A. Forest Protection (Goal 4)

One statewide planning goal (Goal 4), was designed to protect forests and Oregon's commercial forestry base. This statute, Oregon Administrative Rules (OAR) 660-015-0000 (4) passed in 1973, states the goal as: "To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture." As a result of working to implement Goal 4, most counties have been able to protect highly productive forest lands. A number of forest land use programs are currently available statewide.

B. Natural Resources Protection (Goal 5)

Goal 5 is a broad statewide planning goal that covers more than a dozen resources, including wildlife habitats, historic places, and aggregate (gravel). It was originally adopted by LCDC in 1974. Goal 5 and related Oregon Administrative Rules (Chapter 660, Divisions 16 and 23) describe how cities and counties are to plan and zone land to conserve resources listed in the goal. Directly related to Forest Legacy are the focus on wildlife habitats, wetlands, riparian habitats, endangered species, and natural areas.

V. Oregon's Key Forest Conservation Programs

A. State and federal programs

Forest Stewardship Program

This is a federal program administered by the USDA Forest Service and implemented by the Oregon Department of Forestry. Its objective is to provide assistance for the improved stewardship of private non-industrial and tribal forestlands. The program encourages landowners and managers to work with a professional forester to identify their land management goals in written forest management plans (also known as forest stewardship plans). Forest stewardship plans identify management opportunities for environmental protection, resource conservation and income consistent with landowner goals.

The Forest Stewardship Program encourages landowners to increase communication and collaboration between citizens and the managers of our public lands to address broader landscape issues including threatened and endangered species, biodiversity,

fuels management and fire protection. When funding is available under the Stewardship Incentive Program (SIP), landowners can apply for cost-share assistance to hire a consulting forester to complete the management plan as well as to implement the management practices identified in the plan (e.g., fish and wildlife, recreation, timber management and fire protection opportunities).

Forest Resource Trust (FRT)

An ODF program (Oregon Revised Statutes (ORS), ORS 526.700 – ORS 526.775), the Forest Resource Trust encourages landowners to establish and maintain healthy forest on underproducing forestlands ? lands capable of growing forests but currently in brush, cropland, pasture, or very poorly stocked land (and not subject to a reforestation requirement of the Oregon Forest Practices Act). The eligible land must be located in Oregon, and be part of a private forestland ownership of at least 10 contiguous acres, but no more than 5,000 acres. The FRT provides technical assistance and up to 100 percent of the monies for implementing the reforestation project, including site preparation, tree planting, seedling protection and release from competing vegetation.

Riparian Tax Incentive Program

The Riparian Tax Incentive Program, authorized by ORS 308A.350—308A.383, offers a property tax incentive to property owners for improving or maintaining qualifying riparian lands. Under this program, property owners receive complete property tax exemption for their riparian property. This can include land up to 100 feet from a stream. In passing the program, the 1981 Oregon Legislative Assembly declared that "it is in the best interest of the state to maintain, preserve, conserve and rehabilitate riparian lands to assure the protection of the soil, water, fish and wildlife resources of the state for the economic and social well-being of the state and its citizens." Healthy riparian areas have been recognized as being critical for healthy watersheds and fish populations. To be eligible, a landowner and the Oregon Department of Fish and Wildlife must sign a riparian management plan and agreement. The management plan must detail measures the landowner will implement to preserve, enhance or restore the riparian area.

Wildlife Habitat and Conservation Program

This program was established in 1993 (ORS 215.800 – ORS 215.808) to provide incentives to assist in the protection of wildlife habitats on farm and mixed farm-forest lands. House Bill 3564, passed by the 2001 Oregon Legislature, expanded the program to include all forested lands. This voluntary program removes tax disincentives for increased conservation on private lands within a participating county by reducing property taxes. This occurs when a landowner adopts a wildlife habitat conservation and management plan approved by the Oregon Department of Fish and Wildlife. Property tax rates drop from forest or farm to open space values. This also applies if the land's special assessment for forestry is maintained when land management emphasis switches from commercial timber to conservation of non-timber resources. Currently, landowners in three-quarters of Oregon's counties are participating in this program.

Forestry Incentives Program (FIP)

Federal cost-share payments are provided for timber stand management practices under the guidance of USDA Natural Resource Conservation Service (NRCS) and ODF. To participate in the FIP program, non-industrial private forest landowners must have a minimum of 10 acres that must be capable of producing at least 50 cubic feet of timber per

acre per year. Participants can be individuals, groups, associations, or corporations whose stock is not publicly traded. Approved practices include site preparation, tree planting, direct seeding and timber stand improvement thinning.

Conservation Reserve Program (CRP)

Administered by the USDA Farm Services Agency, this voluntary program encourages farmers to take highly erodible and other environmentally sensitive pasture or cropland out of production, and to implement a conservation plan that will reduce erosion, improve water quality, and provide or enhance fish and wildlife habitat. Participating farmers receive an annual rental payment for the term of a 10 to 15 year contract. Eligible practices include riparian buffers, field windbreaks, shelterbelts, and shallow water areas for wildlife.

Conservation Reserve Enhancement Program (CREP)

This program is a pilot expansion of the CRP program and is also administered by the USDA Farm Services Agency. Under CREP, landowners enroll agricultural lands along streams and rivers containing (or flowing into streams and rivers containing) federally listed threatened and endangered fish (e.g., salmon, steelhead). To be eligible, the landowners must agree to improve the functioning condition of the enrolled riparian area by conducting reforestation of the streamside land (up to a maximum of 180 feet from the stream). Participating landowners receive an annual rental payment for the term of a 15 year contract, cost-share assistance for the reforestation work, as well as incentive payments for participating and for getting adjacent landowners to participate.

Wetlands Reserve Program (WRP)

This voluntary program, administered by the NRCS, offers private landowners a chance to restore and protect wetlands on their property through conservation easements. In return for federal payments, landowners must agree to a restoration plan and place restored wetlands in an easement reserve where they cannot be drained or plowed. Wetlands that provide habitat for migratory birds and other wildlife are given priority.

Environmental Quality Incentives Program (EQIP)

This voluntary program, administered by the NRCS, allows agricultural landowners to enter into five to 10 year contracts for the purpose of receiving cost-share assistance for conducting watershed improvements on their lands. Landowners must develop a written enhancement plan. Approved practices are forest establishment, erosion control (seeding, road improvements), fish and wildlife habitat projects, fencing, riparian restoration and timber stand management (when approved by the appropriate basin working group).

B. Private programs

Forest Certification

Forest certification programs set forest management standards based on ecological, social, and economic sustainable forestry principles, and provide for independent review of the property's forest management as a means to determine whether the program standards are being met. Some programs are market-based and encourage landowners to practice sustainable forestry by providing them access to premium, certified wood products markets.

Examples of forest certification programs include the American Forest Foundation's Tree Farm program, the American Forest and Paper Association's Sustainable Forestry InitiativeSM, Forest Stewardship Council third party certification programs (e.g., Smartwood), Green Tag, Pan European Forest Certification and industrial standards such as International Standards Organization and Canadian Standards Association.

Oregon Biodiversity Partnership

The Oregon Biodiversity Partnership is an alliance of organizations and individuals involved in cooperative efforts to conserve Oregon's biological diversity. It is managed by the Defenders of Wildlife, and created to carry on the work of the Oregon Biodiversity Project (Oregon Biodiversity Project 1998). The project pioneered a new, collaborative approach to conservation planning that produced a big-picture view of conservation priorities for Oregon's native species and the habitats and ecosystems that support them. Building on that diverse base of support, the Oregon Biodiversity Partnership provides an umbrella for an array of efforts to implement the project's conservation strategies.

The Oregon Biodiversity Partnership has a conservation strategy based on: 1) improving stewardship of the "working landscape," with emphasis on incentives for private landowners; 2) expanding the existing network of conservation lands where management emphasizes long-term protection of biodiversity values; 3) improving biodiversity information management to enhance decision-making and adaptive management strategies; 4) expanding public awareness and understanding of biodiversity values and conservation needs; and 5) demonstrating and testing collaborative approaches to biodiversity conservation that could provide a model for other states or regions.

Land Trusts

Land trusts are non-profit groups that preserve and enrich the natural heritage of the countryside through direct land protection, using appropriate tools such as conservation easements, voluntary protection agreements, estate planning, land donations, and bargain land sales. Organized at local levels, land trusts provide people and communities with choices of how protected lands are used.

Two national organizations, regional land trusts, and a number of local trusts are actively working in the state. The Nature Conservancy (TNC), a national organization with an Oregon chapter (The Nature Conservancy of Oregon), has been integrally involved in protecting forested habitats in Oregon as part of their efforts to protect all life on earth. The Trust for Public Lands (TPL) is a second national organization dedicated to protecting lands to improve human enjoyment and well being, and has an Oregon office actively protecting forest lands. A regional land trust dedicated to preserving private, productive forestlands, The Pacific Forest Trust (PFT), specializes in facilitating, acquiring and stewarding forest conservation easements within the state of Oregon, as well as in other western states. PFT has an Oregon office and provides a range of services to forest owners in the state.

Local trusts that have expressed an interest, or are likely interested in the Forest Legacy Program in Oregon, include the Columbia Land Trust, Deschutes Land Trust, Greenbelt Land Trust, McKenzie Land Trust, North Coast Conservancy, Southern Oregon Conservancy and Three Rivers Conservancy. Oregon land trusts, the national Land Trust Alliance, TPL and TNC have all assisted in the development of this AON, and are interested in assisting ODF in the implementation of the Oregon Forest Legacy Program.