

Agenda Item No.:	E
Work Plan:	State Forests
Topic:	Land Acquisition Approval
Presentation Title:	Tillamook District: Acquisition of Miami Forest Road
Date of Presentation:	November 7, 2018
Contact Information:	Kate Skinner, Tillamook District Forester (503) 842-2545; Kate.J.Skinner@oregon.gov

SUMMARY

The purpose of this Staff Report is to seek Board approval of the acquisition of a 40 foot wide, ¼ mile section of the existing Miami Forest Road currently owned by the estate of Edward J. Frantz, III. The property is shown on the vicinity map, Attachment 1.

It is proposed that this land be acquired as an administrative property under the Board’s authority contained in ORS 526.166 which includes authority to acquire “rights-of-way to lands of the state, which lands are under the management or jurisdiction of the Board or State Forester.”

CONTEXT

Acquisition of the road right-of-way and property is part of on-going efforts to secure long-term control and access to State Forest property. ODF desires to have control of access and infrastructure that allows for timber management, including hauling of logs and properly maintained creek crossing (bridge). The private landowner no longer wants ownership and control of the Miami Forest Road on their property. The landowner is not able to maintain the road and creek crossing to standards needed by ODF.

The acquisition will be completed as outlined in a Purchase and Sale Agreement with the landowner and in consideration for ODF installation of a bridge over Prouty Creek.

BACKGROUND AND ANALYSIS

A December 2015 winter storm event damaged the Prouty Creek crossing of the Miami Forest Road preventing access to the privately-owned land and to portions of the Tillamook State Forest. Due to steep terrain in the Miami River Basin, access for fire protection and management of approximately 5,000 acres of State Forest is only achieved via Miami Forest Road, crossing private land and Prouty Creek. ODF has worked with the private landowner to begin installation of a bridge across Prouty Creek on the Miami Forest Road. ODF holds an easement to use and maintain Miami Forest Road. ODF has interest in having the access designed, built and maintained to a standard that allows for timber management including hauling of logs and access for fire protection. ODF has been the main commercial user of the road over the past 40 years. The private landowner does not have the means to design, build or maintain the section of Miami Forest Road needed for timber management, and will retain non-commercial access by reserving an easement in the deed to ODF.

ALTERNATIVES CONSIDERED

- Review and analysis was completed by ODF to identify the number of acres available for management accessed by Miami Forest Road. Due to terrain, the analysis determined that approximately 5,000 acres of State Forest ownership could be managed and hauling down Miami Forest Road is the most cost efficient option.
- ODF is able to fund the design and installation of a bridge over Prouty Creek crossing and maintain the bridge and road to the standards needed for timber management and access for the private landowner over the long-term.

RECOMMENDATION

The Department recommends that the Board approve the acquisition of the portion of the Miami Forest Road property as shown on the vicinity map (Attachment 1) as an administrative property under the Board's authority contained in ORS 526.166.

NEXT STEPS

- Finalize bridge installation
- Finalize purchase and sale agreement with landowner
- Execute and record the deed

ATTACHMENTS

- (1) Miami Forest Road Acquisition -Vicinity Map